

TUESDAY 1:30 P.M. SEPTEMBER 14, 1999

PRESENT:

- JIM GALLOWAY, CHAIRMAN
- TED SHORT, VICE CHAIRMAN
- PETE SFERRAZZA, COMMISSIONER
- JIM SHAW, COMMISSIONER
- JOANNE BOND, COMMISSIONER
- AMY HARVEY, COUNTY CLERK
- KATY SINGLAUB, COUNTY MANAGER
- MADELYN SHIPMAN, LEGAL COUNSEL

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 E. Ninth Street, Reno, Nevada. Following the pledge of allegiance to the flag of our Country, the County Clerk called the roll and the Board conducted the following business.

**99-875 AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the agenda for September 14, 1999, be approved.

**PUBLIC COMMENTS**

Marge Cutler, Secretary/Treasurer of the Sun Valley CAB and charter member of Looking Fine in 99, stated that she is concerned about the traffic and pedestrian problem on First Avenue and Sun Valley Boulevard; that sometimes it almost is impossible to walk across or make a left turn onto Sun Valley Boulevard; that a petition was drafted and over 2000 signatures gathered regarding this problem; that they met with David Roundtree, Public Works Director; and that the citizens are requesting a new traffic study be conducted.

Sam Dehne, Reno citizen, expressed his opinion about the Mapes Hotel, Retrac Project, and Talk Radio.

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THE BOARD CONVENED AS THE COUNTY LIQUOR BOARD

**99-876 REFUND OF FEES - BURNS PHILIP FOOD INC. - BUSINESS LICENSE DIVISION**

Upon recommendation of Bob Webb, Planning Manager, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that a refund of fees in the amount of \$75 to Burns Philip Food Inc., be approved. It was noted that the tax department at Burns Philip Food Inc., which paid for the license, was unaware that the Empire Food facility had been sold on September 30, 1997.

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THE BOARD RECONVENED AS THE BOARD OF COUNTY COMMISSIONERS

**MINUTES**

On motion by Commissioner Shaw, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that the minutes of the meetings of July 27 and August 10, 1999, be approved. Commissioner Bond abstained from the minutes on July 27,

1999, as she was not present at that meeting.

#### **99-877 EMPLOYEE RECOGNITION COMMITTEE - HUMAN RESOURCES**

Upon recommendation of Joanne Ray, Human Resources Director, the following employees were recognized for their innovative suggestions:

Robin Greco, Julie Skow, Kenneth Schmitt, Robert Fuss, Kelley Smith, Janet Rought, Jerald Preston, Mary Ann Replogle, Linda Dunn, Deborah Gribus, Catherine Luke, Kathy Carpenter, Phyllis Sargent and Georgette Ferrera.

Chairman Galloway presented each one with a certificate of recognition.

#### **99-878 APPEARANCE - AIRPORT AUTHORITY BOARD OF TRUSTEES - GENO MENCHETTI & JOHN FARAH**

John Farahi and Geno Menchetti were present and gave an update to the Board regarding the Airport Authority Board of Trustees. Mr. Menchetti stated that they voted last Thursday to require that the Postal Hub conduct a full Environmental Impact Statement (EIS). Mr. Menchetti answered questions from the Board regarding public comments during Airport Authority meetings and stated that the public comments issue is scheduled to be on their next agenda.

David Farside, Washoe County citizen, stated his concerns about Chairman Menchetti's policy of public comments during the Airport Authority meetings. He further stated that Chairman Menchetti is violating Roberts Rules regarding open meeting laws.

Sam Dehne, Reno citizen, commented on the appearances by Mr. Farahi and Mr. Menchetti and advised that he has submitted three complaints against Chairman Menchetti with the Attorney General's Office; and that he wants the Washoe County Commissioners to remove him as their appointee to the Airport Authority Board. He added that Chairman Menchetti is picking and choosing who gets to make public comments at their meetings.

Jackie Decker, Washoe County citizen, echoed this concern.

Judith Snell, Washoe County citizen, stated that she feels Chairman Menchetti is trying to do what is best; that trust between citizens and the Airport Authority Board is not very good; and that the Airport Authority Board needs to explain their public comment rules at their meetings.

#### **99-879 PROCLAMATION - LIBRARY CARD SIGN-UP MONTH**

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that September 1999 be proclaimed "Library Card Sign-Up Month" and Chairman Galloway be authorized to execute the following proclamation.

#### **PROCLAMATION**

Whereas, The Washoe County Library System, serving Nevada communities since 1904, will be celebrating "Library Card Sign-Up" Month, September 1999; and

Whereas, The Washoe County Library System provides citizens the opportunity to access resources that can give every person the chance to learn and gain knowledge; and

Whereas, The Washoe County Library System in conjunction with the Washoe County School District will remind all citizens that children should be given the most important school supply of all - one available free to every child - a library card; and

Whereas, The Washoe County Library System wishes to make known the vast resources available free to library card holders including books, magazines, reference resources, videotapes, computers, Internet connections, etc. that can give every citizen the tools for learning; now, therefore, be it

Proclaimed, By the Washoe County Board of Commissioners that September 1 - 30, 1999 is designated as "Library Card Sign-Up Month" and the Board urges all residents of the Truckee Meadows to take advantage of the resources available to them at the Washoe County Libraries by signing-up for a library card.

**99-880 ACCEPTANCE OF DONATION - CRITICAL INCIDENT STRESS MANAGEMENT PROGRAM - SHERIFF'S DEPARTMENT**

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the donation of \$100 from Dr. Sally Skewis for the Critical Incident Stress Management Program be accepted with gratitude.

**99-881 ACCEPTANCE OF DONATION - VICTIM PANIC ALARM SYSTEMS - SHERIFF'S DEPARTMENT**

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the donation from A-1 Security of three Victim Panic Alarm Systems, valued at \$1,671.00, for victims of domestic violence, sexual assault, stalking, and other crimes where there is a fear for the victim's safety, be accepted with gratitude.

**99-882 UNBUDGETED CAPITAL OUTLAY - DIGITAL RECORDER AND CAMCORDER - SHERIFF'S DEPARTMENT**

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the purchase of a Digital Recorder and Camcorder with accessories at a total price of \$8,012, be authorized, to facilitate implementation of a department-wide video training ability for daily briefings and Nevada Administrative Code required annual training.

**99-883 ACCEPTANCE OF GRANT - STUDENT/COMMUNITY LIAISON INCLINE VILLAGE SUBSTATION - SHERIFF'S DEPARTMENT**

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that grant monies in the amount of \$32,381 from the Edward Byrne grant and \$5,397 from the Parasol Foundation and Sheriff's Office, for continued funding in fiscal year 1999/00 for student/community liaison at Incline Village Substation, be accepted and the following adjustments authorized:

Increase Revenues

Account	Amount
152448G/4301	\$32,381.00
152448G/5802	5,397.00

Increase Expenditures

Account	Amount
152448G/7001	\$25,150.00
152448G/70185	\$ 5,153.00
152448G/7042	\$ 1,799.00
152448G/7046	\$ 1,331.00
152448G/7047	\$ 40.00
152448G/7048	\$ 5,850.00
152448G/7050	\$ 452.00
152448G/7140	\$ 1,500.00

152448G/7230	\$	600.00
152448G/7250	\$	100.00
152448G/7357	\$	200.00
152448G/7385	\$	400.00
152448G/7620	\$	600.00

**99-884 ACCEPTANCE OF GRANT - PERMANENCY PLANNING PROJECT EVALUATION - SOCIAL SERVICES**

Upon recommendation of May Shelton, Social Services Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that federal grant pass through monies, in the amount of \$23,000, from the State Division of Child and Family Services, be accepted, to pay for the costs of the Permanency Planning Project Evaluation.

**99-885 GRANT PROPOSAL - U.S. DEPARTMENT OF ENERGY - STEAMBOAT HYDRO-GEOTHERMAL INVESTIGATION - WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the grant proposal and submittal, for the Steamboat Hydro-Geothermal Investigation, in the amount of \$630,537, be approved and acknowledged. It was noted that the grant funds would be allocated and administered by the U.S. Department of Energy (DOE).

**99-886 AUTHORIZATION - CHILD PROTECTION SERVICES ACCOUNT - REFERRAL SERVICES - SOCIAL SERVICES**

Upon recommendation of May Shelton, Social Services Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that expenditure of funds from Child Protective Services account, Referral Services (28081G-7423), to benefit children and families in order to promote keeping families intact, be authorized.

**99-887 AUTHORIZATION - PURCHASE TWO USED VEHICLES - GENERAL SERVICES**

Upon recommendation of Clayton Gadd, General Services Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the purchase of two used vehicles for the Equipment Services Division, in the amount of \$26,232, as currently budgeted within account 6901-7851, be authorized.

**99-888 EASEMENT - GAS DISTRIBUTION AND COMMUNICATION - SIERRA PACIFIC POWER COMPANY - PUBLIC WORKS**

Upon recommendation of James Gale, Sr. Property Agent, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Grant of Easement for Gas Distribution and Communication to Sierra Pacific Power Company be approved and Chairman Galloway be authorized to execute.

**99-889 GRANT DEED - NORTH VALLEY REGIONAL PARK - PUBLIC WORKS**

Upon recommendation of Anthony McMillen, Registered Engineer, through David Roundtree, Public Works Director, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the Record of Survey, Boundary Line Adjustment Grant Deed, and Dedication Map for North Valley Regional Park be approved and Chairman Galloway be authorized to execute.

It was noted that Washoe County Parks and Silverwing Development would like to adjust a common property line between the North Valleys Regional Park (APN 86-040-14, 86-040-18) and property owner Silverwing Development (APN 86-040-19, 550-010-26) and ask for execution of the Dedication map of Sky Vista Parkway enabling Dedication to the City of Reno.

**99-890 AUTHORIZATION - MOVING EXPENSES - BUDGET MANAGER - MANAGER'S OFFICE**

Upon recommendation of Katy Singlaub, County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which

motion duly carried, Chairman Galloway ordered that moving expenses of Budget Manager Lisa Gianoli (in an amount not to exceed \$6500) be approved, subject to the condition that reimbursement is to the extent the spouse does not receive payment for the same move.

**99-891 AUTHORIZATION - MOVING EXPENSES - LABOR RELATIONS MANAGER - MANAGER'S OFFICE**

Upon recommendation of Howard Reynolds, Assistant County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that moving expenses of Labor Relations Manager Steven Watson (in an amount not to exceed \$5000), be approved, subject to the condition that reimbursement is to the extent the spouse does not receive payment for the same move.

**99-892 AUTHORIZATION - PRO TEM JUSTICE OF THE PEACE LIST - HUMAN RESOURCES**

Upon recommendation of Joanne Ray, Human Resources Director, on motion by Commissioner Sferrazza, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the revision of the Pro Tem Justice of the Peace List, to include additional names and delete those who are no longer able to serve, be approved.

It was further ordered that staff be directed to report back regarding the policy in determining who can be on the list.

**99-893 GENERAL, HEALTH AND PUBLIC WORKS CONSTRUCTION FUNDS FINANCIAL REPORT - COMPTROLLER**

Upon recommendation of Kathy Garcia, Comptroller, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the General, Health and Public Works Construction Funds Financial Report for the Month ended July 31, 1999, be accepted.

**99-894 PROPOSED ORDER - DOMESTIC WELL CREDIT - PLEASANT VALLEY GROUND WATER BASIN - WATER RESOURCES**

Upon recommendation of Steve Walker, Water Management Planner, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the proposed Order for Domestic Well Credit in Pleasant Valley Ground Water Basin as approved by the Regional Water Planning Commission, and placed on file with the clerk, be supported.

**99-895 AUTHORIZATION - CABLETRON SYSTEMS - LIBRARY SMARTSWITCH ROAMABOUT PROJECT - PURCHASING**

Upon recommendation of John Balentine, C.P.M., Purchasing & Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the purchase of proprietary hardware from Cabletron Systems for Washoe County Library's Smartswitch Roamabout Project in the net amount of \$29,378.40, be authorized. It was further ordered that Cabletron Systems be the sole source provider for their data communication network products as the County utilizes Cabletron Systems hardware extensively for its County-wide data communication network.

**99-896 AWARD OF BID - FOOD MANAGEMENT SERVICES - BID NO. 2170-99 - SENIOR SERVICES**

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on July 13, and July 26, 1999, for Food Management Services, on behalf of Washoe County Senior Services Department. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

- Valley Innovative Services
- Compass Group USA, Inc.
- Sodexo Marriott Management, Inc.

Correctional Foodservice Management, Rite of Passage, and Washoe County School District submitted "no-bid" responses and Sky Chefs failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that Bid No. 2170-99 for Food Management Services, be awarded to the lowest responsive, responsible bidder Valley Innovative Services, in the amount of \$695,760.00, for a one year period, as follows:

Bid Item #1	Congregate Meals	\$3.12/per meal x 111,800 meals	\$348,816.00
(Meals served at the Reno Senior Center or at the 8 satellite sites)			
Bid Item #2	Home Delivered Meals	\$3.12/per meal x 111,200 meals	\$346,944.00
Total			\$695,760.00

It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a one year Agreement with Valley Innovative Services for Food Management Services, commencing approximately October 1, 1999 through September 30, 2000, with four, one year renewal options.

**99-897 AWARD OF BID - WINDOW WASHING SERVICES - BID NO. 2186-99 - BUILDINGS & GROUNDS DEPARTMENT**

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on July 22, 1999, for Window Washing Services, on behalf of General Services, Buildings and Grounds Division. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Intrepid Window Cleaning

A-Z Hot Wash Window & Cement Cleaning, Best Janitorial Services, Inc., and Expert Window Cleaning submitted "no-bid" responses and A-One Window Cleaning failed to respond to the invitation to bid. Clear Vision Window & Blind Cleaning, High Sierra Window Cleaning, and Reliable Building Maintenance were disqualified, due to incomplete bids.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that Bid No. 2186-99 for Window Washing Services, be awarded to the lowest responsive and responsible bidder meeting bid specifications, terms and conditions, Intrepid Window Cleaning, in the amount of \$9,500.00 per time, for a total bid award amount of \$38,0000 (four times) for a two year period. It was further ordered that the Purchasing and Contracts Administrator be authorized to enter into a two year Agreement with Intrepid Window Cleaning for Window Washing Services commencing October 1, 1999 through September 30, 2001, with one two-year renewal option.

It was noted that prices are to remain firm for the duration of the original Agreement and that pricing for any renewal agreement shall be subject to negotiations between the vendor and the Purchasing Department.

**99-898 AWARD OF BID - CARPET TILE & INSTALLATION - BID NO. 2189-2000 - BUILDINGS & GROUNDS DEPARTMENT**

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on August 5, 1999, for Carpet Tile and Installation on behalf of General Services, Building and Grounds Division. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

Phil's Fine Floors  
B.T. Mancini

Dayton Floors, Inc. submitted a "no-bid" response and Dupont Flooring failed to respond to the invitation to bid.

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that Bid No. 2189-2000 for Carpet Tile and Installation, be awarded to the lowest responsive and responsible bidder, meeting bid specifications, terms and conditions, Phil's Fine Floors, in the amount of \$258,281.50.

It was further ordered that Washoe County utilize bid pricing for future Fiscal Year 99/2000 requirements, if prices do not increase.

**99-899 AWARD OF BID - SENIOR SERVICES CENTER BOILER ADDITIONS - BID NO. 2196-2000 - GENERAL SERVICES**

This was the time to consider award of bid, Notice of Bidders for receipt of sealed bids having been published in the Reno Gazette-Journal on August 24, 1999, for Washoe County Senior Services Center Boiler Additions on behalf of General Services, Building & Grounds Division. Proof was made that due and legal Notice had been given.

Bids, copies of which were placed on file with the Clerk, were received from the following vendors:

- D & D Plumbing Inc.
- Gardner Engineering Inc.
- J.W. McClenahan Company

Upon recommendation of John Balentine, Purchasing and Contracts Administrator, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that Bid No. 2196-2000 for Senior Services Center Boiler Additions, be awarded to the lowest responsive and responsible bidder D & D Plumbing, Inc., in the amount of \$83,496.00.

It was further ordered that the Purchasing and Contracts Administrator be authorized to execute an agreement with D & D Plumbing, Inc. to perform the work.

**99-900 ROLL CHANGE REQUESTS FOR FACTUAL ERRORS - ASSESSOR**

Upon recommendation of Jean Tacchino, Assistant Chief Deputy Assessor, and Thomas Sokol, Assistant Chief Deputy Assessor, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following Roll Change Requests correcting factual errors on tax bills already mailed, be approved for the reasons indicated thereon and mailed to the property owners, a copy of which is placed on file with the Clerk. It was further ordered that the Orders directing the Treasurer to correct the errors be approved and Chairman Galloway be authorized to execute on behalf of the Commission.

Duds N Suds	ID #2/215009	(1998/99 Unsecured Roll)	Duds & Suds	ID #2/215031	(1998/99 Unsecured Roll)
Paul L. & Kathy M. Harshbarger	Parcel No. 003-082-12	(1999/2000 Secured Roll)	Vernon & Louise Belk	Parcel No. 004-391-18	(1999/2000 Secured Roll)
William F. McElwain	Parcel No. 014-012-17	(1999/2000 Secured Roll)	Richard D. Wood	Parcel No. 023-081-27	(1999/2000 Secured Roll)
Roy Schille	Parcel No. 025-220-22	(1999/2000 Secured Roll)	John W. & Elaine F. Jaureguito TR	Parcel No. 040-880-04	(1999/2000 Secured Roll)
Robert & Carolyn Myrmel	Parcel No. 038-071-01	(1999/2000 Secured Roll)	Gary Dawson	Parcel No. 082-650-15	(1999/2000 Secured Roll)
James & Debra Spenella	Parcel No. 123-162-21	(1999/2000 Secured Roll)	John B. & Donna S. Bevel	Parcel No. 131-080-18	(1999/2000 Secured Roll)

William J. Walsh	Parcel No. 131-222-02	(1999/2000 Secured Roll)	Michael & Jayne Murphy	Parcel No. 131-231-04	(1999/2000 Secured Roll)
Rudy & Beverly A. Staedler TR	Parcel No. 131-261-12	(1999/2000 Secured Roll)	Stephen & Donna Hamilton	Parcel No. 049-060-35	(1999/2000 Secured Roll)
George & Judith J. Poore	Parcel No. 049-060-34	(1999/2000 Secured Roll)	Randy Button	Parcel No. 082-225-06	(1999/2000 Secured Roll)
Quail Corners LLC	Parcel No. 040-920-17	(Split for 2000/2001 to (040-920-25) (1999/2000 Secured Roll)	Elmer A. & Joan M. Graham	Parcel No. 123-121-03	(1999/2000 Secured Roll)
Nevada Pacific Development Corp.	Parcel No. 122-100-21	(1999/2000 Secured Roll)	Thomas J. & Eileen Martin	Parcel No. 124-064-23	(1999/2000 Secured Roll)
Miners Village Investors LLC	Parcel No. 160-601-08	(1999/2000 Secured Roll)	Miners Village Investors LLC	Parcel No. 160-602-01	(1999/2000 Secured Roll)
Bailey & McGah	Parcel No. 208-112-03	(1999/2000 Secured Roll)	Pohaku LLC	Parcel No. 014-135-22	(1999/2000 Secured Roll)
Larry J. & Diana L. Gunkel	Parcel No. 030-651-03	(1996/97 Secured Roll)	Larry J. & Diana L. Gunkel	Parcel No. 030-651-03	(1997/98 Secured Roll)
Larry J. & Diana L. Gunkel	Parcel No. 030-651-03	(1998/99 Secured Roll)	Larry J. & Diana L. Gunkel	Parcel No. 030-651-03	(1999/2000 Secured Roll)
Stateline Limited Partnership	Parcel No's. 126-294-16, 19, 21, 22, 23, 24, 25, 26, 27,30, 31, 32, 33 and 34	(1998/1999 Secured Roll)	Stateline Limited Partnership	Parcel No's. 126-294-16, 19, 21, 22, 23, 24, 25, 26, 27, 30, 31, 32, 33 and 34	(1999/2000 Secured Roll)
Victorian Ice Cream	ID # 2/210-001	(1998/99 Unsecured Roll)	Western Landscape Materials	ID #2/905-087	(1998/99 Unsecured Roll)
Great Basin Medical Group	ID # 2/160078	(1998/99 Unsecured Roll)			

99-901 AGREEMENT - CHILD & ADULT CARE FOOD PROGRAM - SENIOR SERVICES

Upon recommendation of Karen Mabry, Senior Services Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Child and Adult Food Care Program Grant for fiscal year 2000, in the amount of \$2,520, be accepted and Chairman Galloway be authorized to execute the agreement with the State Department of Education. It was further ordered that funds from fiscal years 1996 through 1998, be accepted retroactively, and identified as follows:

District Health Account FY96-97 \$8,867  
 Senior Services Account FY97-98 \$ 939  
 Senior Services Account FY98-99 \$2,920

It was noted that the current monthly average of meals/snacks provided at unit rates is \$210 for a Fiscal Year total of \$2,520, for which accounts are established as follows:

Revenue

Expenditure

253000G-4301

253000G-7391

\$2,520.00

\$2,520.00

**99-902 AGREEMENT - CARSON CITY SHERIFF'S OFFICE - SHERIFF'S DEPARTMENT**

Upon recommendation of Richard Kirkland, Sheriff, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the Security Agreement between Washoe County and the Carson City Sheriff's Office, concerning summer boat patrol in the Carson City rural area of Lake Tahoe, be approved and the following budget adjustments authorized:

Increase Expenditures

15081-7191	Incline Village/Fuel and Lube	\$3,500.00
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**99-903 AGREEMENT - ASPEN COMMUNITY SERVICES - JUVENILE SERVICES**

Upon recommendation of Leonard Pugh, Juvenile Services Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the Professional Service Agreement between Washoe County and Aspen Community Services, concerning day treatment rehabilitation services to be conducted at Truckee Meadows Boys and Girls Club, be approved and Chairman Galloway be authorized to execute.

**99-904 AGREEMENT - CITY OF RENO - KID'S KORNER PROGRAM - SOCIAL SERVICES**

Upon recommendation of May Shelton, Social Services Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Interlocal Agreement between Washoe County and the City of Reno, concerning the role of Social Services in the Kid's Korner Program, and allowing for the City of Reno to reimburse Washoe County one-half of the salary and benefit costs, not to exceed \$30,000, for the new Senior Social Worker position, be approved and Chairman Galloway be authorized to execute.

**99-905 AGREEMENT - CITY OF RENO - TRANSFER & TREATMENT OF SEWER CUSTOMERS - WATER RESOURCES**

Leann McElroy, Chief of Staff, City of Reno, responded to questions that arose from Caucus. She stated that this matter has been discussed for quite some time; that the City of Reno is involved in two sewage treatment plants, the Truckee Meadows Water Reclamation Facility (TMWRF) and the Stead Treatment Facility, which the City of Reno runs since Stead was annexed to the City of Reno; that Double Diamond when developed was connected to the South Truckee Meadows Facility, which is a Washoe County Facility; that the issue then was some customers were receiving the City rate regardless of whether they were served at TMWRF or served by the Stead Plant, and other City residents who were not afforded that same City rate. She further stated that City residents residing in Double Diamond are asking why they are not allowed to benefit from the City's rates; and that the City Council on July 13, 1999 opted to pool all of the City residents together.

Commissioner Sferrazza inquired if the City of Reno is going to subsidize this by increasing the operating rates for the existing sewer customers in the City of Reno. Ms. McElroy responded that as the community begins to build out the County's rates and the City's rates will pretty much coincide by the year 2015; that right now the subsidy is \$140,000 per year; and that the City of Reno has that in their sewer fund and will not need to raise rates to accommodate this.

Chairman Galloway disclosed that he has property in Double Diamond and will abstain from voting on this item.

Commissioner Sferrazza stated that he opposes this item because he feels this enables the City to subsidize new customers in the Double Diamond Ranch at the expense of the existing customers, which will have to eventually pay an increase in their sewer fees to cover that cost.

Upon recommendation of Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Shaw, seconded by

Commissioner Bond, which motion duly carried, with Commissioner Sferrazza voting "no" and Chairman Galloway abstaining, it was ordered that:

1. The Agreement between Washoe County and the City of Reno, regarding transfer and treatment of sewer customers residing in the City of Reno, be approved and Chairman Galloway be authorized to execute;
2. That the transfer of County sanitary sewer assets to City of Reno, be authorized; and
3. That staff be authorized to take all necessary and appropriate steps to transfer the billing operations for sewer service for current County sewer customers residing within the City of Reno.

**99-906 AGREEMENT - AGRA EARTH & ENVIRONMENTAL, INC. - WATER RESOURCES**

Upon recommendation of John Collins, Manager, Utility Services Division, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the Agreement between Washoe County and AGRA Earth & Environmental, Inc., concerning professional services to perform a geotechnical investigation and prepare a report for the site of a new 350,000 gallon water tank in Pleasant Valley for the Sunrise Estates water system, in an amount not to exceed \$42,800, be approved and Chairman Galloway be authorized to execute.

**99-907 AGREEMENT - R&S DIGITAL SERVICES, INC. - INFORMATION TECHNOLOGY**

Upon recommendation of Matt Beckstedt, Information Technology Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the transfer of \$225,000 from the Contingency Account to Geographic Information Systems Division, as follows, in order to continue participation in the Parcel Base Registration Project, be approved.

Decrease Account	Amount	Increase Account	Amount
1890-7382	\$225,000	1087-7105	\$225,000

It was further ordered that the agreement between Washoe County and R&S Digital Services for professional consulting services to automate and register the parcel base, be approved and Chairman Galloway be authorized to execute. It was noted that the execution of this agreement will:

- a) Automate and register the parcel base (approximately 16,300 parcels) of unincorporated areas in southern Washoe County. A map describing the area to be automated by Washoe County, Sparks, Reno, State of Nevada and Sierra Pacific Power Company can be found in Exhibit A, placed on file with the Clerk.
- b) Update the parcel base (approximately 5,200 parcels) to June 30, 2000, as automated by the Cities of Sparks and Reno, Sierra Pacific Power Company and the State of Nevada.
- c) Conduct the necessary deed research on approximately 3,180 difficult parcels required to create the parcel base; and

It was further ordered that staff be authorized to develop, for future action by the Board, a Data Sharing Agreement between Washoe County, Sparks, Reno and Sierra Pacific Power Company for the automation and continued maintenance of the parcel base per the map as described in Exhibit A and that Sierra Pacific Power Company become a voting member of the Regional Base Map Committee.

**99-908 RECOMMENDATION - REGIONAL WATER MANAGEMENT FUND - WATER RESOURCES**

Upon recommendation of Steve Walker, Water Management Planner, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that expenditure from the Regional Water Management Fund to develop strategies and preliminary plans to reduce costs of converting septic tanks to community sewers in Washoe County, in an amount not to exceed \$75,000, be approved and

Chairman Galloway be authorized to execute the agreement between Washoe County and Agra Infrastructure for same.

**99-909 REFUND OF TAXES - MARK & KYLE LEWIS - APN 009-131-29**

Based upon District Attorney's Opinion No. 6376, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Galloway be authorized to execute on behalf of Washoe County.

**RESOLUTION - Directing the County Treasurer to Refund Taxes**

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.240, has the authority to direct the County Treasurer to refund to an applicant the amount of money paid in to the County Treasury in excess of the amount legally payable; and

WHEREAS, Mark & Kyle Lewis (Taxpayers), made application for the refund of 1998-1999 real property taxes because fire destroyed the Taxpayer's property, APN 009-131-29; and

WHEREAS, taxpayers have overpaid taxes for tax year 1998-1999 in the amount of \$787.76; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the Taxpayers have just cause for making application and that the granting of such refund would be equitable.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. That the Treasurer of Washoe County is hereby authorized and directed to refund to Mark & Kyle Lewis a total of \$787.76, that amount being the taxes overpaid for the tax year 1998-1999 on APN 009-131-29.
2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of this refund.

**99-910 REFUND OF TAXES - TERI LLOP, DDS - APN 014-126-01**

Based upon District Attorney's Opinion No. 6377, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Galloway be authorized to execute on behalf of Washoe County.

**RESOLUTION - Directing the County Treasurer to Refund Taxes**

WHEREAS, the Board of County Commissioners of Washoe County, pursuant to NRS 354.240, has the authority to direct the County Treasurer to refund to an applicant the amount of money paid in to the County Treasury in excess of the amount legally payable; and

WHEREAS, Teri Llop, DDS (Taxpayer), made application for the refund of 1998-1999 real property taxes because fire destroyed the Taxpayer's property, APN 014-126-01; and

WHEREAS, taxpayer has overpaid taxes for tax year 1998-1999 in the amount of \$612.52; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the Taxpayer has just cause for making application for a refund and that the granting of such refund would be equitable.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. That the Treasurer of Washoe County is hereby authorized and directed to refund to Teri Llop, DDS, a total of \$612.52, that amount being the taxes overpaid for the tax year 1998-1999 on APN 014-126-01.

2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of this refund.

**99-911 REFUND OF TAXES - CITY OF SPARKS - APN 518-150-09**

Based upon District Attorney's Opinion No. 6380, on motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Galloway be authorized to execute on behalf of Washoe County.

**RESOLUTION - Directing the County Treasurer to Refund Taxes**

WHEREAS, the Board of Commissioners of Washoe County, pursuant to NRS 354.240, has the authority to direct the County Treasurer to refund to an applicant the amount of money paid in to the County Treasury in excess of the amount legally payable; and

WHEREAS, the City of Sparks (Taxpayer), made application for the refund of 1996-1997 (2nd, 3rd and 4th installments), 1997-1998, 1998-1999 real property taxes because the property owner (Diversified Development) intended that the subject parcel, APN 518-150-09, be donated to the City of Sparks for the development of a park site, and in 1994 the City of Sparks developed the subject property as Maldonado Park; and

WHEREAS, the City of Sparks has overpaid taxes for fiscal years 1996-1997 (2nd, 3rd and 4th installments), 1997-1998, 1998-1999 in the amount of \$11,166.81; and

WHEREAS, it is the opinion of the Board of Commissioners of Washoe County that the applicant for a refund has just cause for making such application and that the granting of such refund would be equitable.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY AS FOLLOWS:

1. That the Treasurer of Washoe County be and is hereby authorized and directed to refund to the City of Sparks a total of \$11,166.81, that amount being the taxes overpaid for the tax years 1996-1997 (2nd, 3rd and 4th installments), 1997-1998, 1998-1999 on APN 518-150-09.

2. The Treasurer of Washoe County is further directed to debit the account of each governmental entity which has shared in the excess of the taxes collected in error for its pro rata share of this refund.

**99-912 RESOLUTION - PROPOSED BONDS - RENO-SPARKS CONVENTION & VISITORS AUTHORITY**

John Sherman, Finance Director, stated that the Reno-Sparks Convention & Visitors Authority (RSCVA) has approached the County to obtain backing of their proposed \$105-million revenue bond issue to fund an expansion of their facilities; that their coverage ratio is 1.3; and that the market likes to see coverage ratios in the neighborhood of 1.5 to 1.7 times the debt payment. He advised that if the RSCVA defaults on the bond payments, the County taxpayers would be required to pay the balance; and that if the County can structure appropriate safeguards, into this, he feels confident it would not affect the County's bond rating.

Commissioner Sferrazza stated that one of the conditions should be that RSCVA obtain insurance on the bonds the same as the County does and the County should not restrict itself from the ability to sell physical assets in the event there is a default before the taxpayers are made to pick up the cost. Mr. Sherman responded that triggers could be established to prevent reaching that point.

Commissioner Bond inquired if the conditions proposed in the resolution make it a permanent part of the funding for this specific

bonding event. Mr. Sherman responded that legal counsel informed him an agreement would be negotiated between the County and the RSCVA to solidify these conditions.

Commissioner Short inquired if there has been any negotiations concerning phasing of the borrowing. Mr. Sherman responded that it is more financially advantageous to do the issuance all at once; that this project cannot be phased into logical distinct phases; and that what is on the table now is the most appropriate course of action.

Sam Dehne, Reno citizen, stated his concerns about design, build for this project; that he questions if there is a conflict of interest as 2 members of this Board serve on the RSCVA Board; that this is a gigantic works project; and that he is concerned about this project falling back on property tax. He further stated that they still have not said how they will provide parking once the expansion is built; and that he requests the Board not support this bond.

Phil Keene, President/CEO of the RSCVA, stated that the construction approach is a design, bid, build which is a commitment made by the RSCVA Board and staff. He further stated that they conducted an inventory of the existing facility on how they were perceived by the industry and potential clients and they learned they are missing out on shows and exhibitions due to the current facility's age and size. He advised that they engaged one of the best firms in the country, Convention, Sports & Leisure out of Minneapolis, to conduct a feasibility study; that the results indicated there are about 350 shows that they could accommodate in the new facility which represents about 95% of all shows; and that with the 500,000 rentable square feet, which this expansion and renovation would allow this expansion would allow Reno to host all but about 5% of the shows. He further advised that they are in negotiations for property at 3 or 4 locations regarding parking and are satisfied that they will be able to meet the code requirements.

Chairman Galloway inquired as to whether the bond issue and budget would be sufficient to cover a parking structure in the event it was needed. Mr. Keene responded that there are several possible options; that the first would be to add parking on the footprint or on another piece of property; that they have agreements in place to lease the property across the street on Peckham Lane; that they are in discussions with the Supply One property owners; that they have had preliminary discussions with the Liberty Bell people about the possibility of utilizing that property; and that there is not a parking structure budgeted within the \$105-million.

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, it was ordered that the following resolution be adopted and Chairman Galloway be authorized to execute.

**A RESOLUTION OF INTENT TO APPROVE THE ISSUANCE OF THE PROPOSED BONDS OF THE RENO-SPARKS CONVENTION & VISITORS AUTHORITY**

WHEREAS, the Reno-Sparks Convention & Visitors Authority (the "Authority") in the name of and on behalf of Washoe County (the "County") intends to issue general obligation bonds additionally secured by pledged revenues in the maximum aggregate principal amount of \$105,000,000 (the "Proposed Bonds") for the purpose of reconstructing, expanding, improving and equipping the Reno/Sparks Convention Center (the "Project"); and

WHEREAS, the 1999 Nevada Legislature passed Senate Bill No. 477 which raised the tax on the rental of transient lodging within the County for the purpose of financing the Project; and

WHEREAS, the Authority is seeking to finance the Project to recapture lost business from clients who have outgrown the Reno-Sparks Convention Center; to accommodate larger groups heretofore unavailable because of size limitations; to retain existing trade shows and exhibitions; and to simultaneously host multiple groups in the Convention Center; and

WHEREAS, the Authority is about to begin preparation of financing documents and incur substantial expenditures in connection with the sale of the Proposed Bonds; and

WHEREAS, the Authority has requested that the Board of County Commissioners of Washoe County at this time express its intent to approve the issuance of the Proposed Bonds so that the Authority may proceed with the preparation of documents

pertaining to the sale of the Proposed Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA:

Section 1. The Board hereby intends to approve the sale of the Proposed Bonds of the Authority on the following conditions:

- A. The Proposed Bond payments are structured around the County's outstanding debt issued on behalf of the Authority;
- B. The Proposed Bonds are secured with the all of the room taxes received by the Authority which are permitted by law to be pledged to the Proposed Bonds, including, without limitation, such room taxes made available by the retirement of existing debt;
- C. The resolution authorizing the Proposed Bonds (the "Bond Resolution") contains a promise to pay the Proposed Bonds from any additional legally available funds of the Authority, before seeking financial assistance from the County;
- D. The Bond Resolution requires the Authority to deposit monthly 1/6 of the next semiannual interest payment on the proposed Bonds and 1/12 of the next annual principal payment on the proposed Bonds with a trustee that is a commercial bank with trust powers (the "Trustee") who is required to notify the County if monthly deposits are not timely made;
- E. The Bond Resolution requires the Authority to deposit up to 1/2 of the annual debt service payment in a revenue stabilization fund (the "Fund") held by the Trustee which will be used to make debt service payments on the Proposed Bonds before such payments would become an obligation of the County, and money on deposit in the Fund may not be released without written approval of the County Finance Director;
- F. A cooperative agreement between the County and the Authority (the "Agreement") will be entered into which sets forth the definition of "legally available funds of the Authority", the procedures the Authority will follow in seeking any financial assistance from the County, a promise by the Authority which is enforceable by the County to pay the Proposed Bonds from such additional legally available funds of the Authority, and the revenue stabilization funds requirements; and
- G. The Bond Resolution and the Agreement contains such other provisions as may be reasonably required by the County Finance Director.

Section 2. The County Finance Director, on behalf of the County, is hereby authorized and directed to negotiate the Agreement, and bring the Agreement to the Board for adoption together with the ordinance of the Board ratifying the Bond Resolution.

Section 3. The County Finance Director is hereby authorized and directed, if necessary, to file or amend the County's statement of current and contemplated general obligation debt, debt management policy and capital improvement plan in accordance with the provisions of this resolution, and file such amended documents with the Debt Management Commission and the State Department of Taxation.

Section 4. This resolution shall be effective on passage and approval.

It was further ordered that conditions 1 through 6, as outlined in John Sherman's memo and agreed to by RSCVA, be approved, and that the RSCVA be required to obtain their own insurance, and in a worst-case scenario, some triggering mechanism for the County to utilize RSCVA's physical assets, be established.

**99-913 APPOINTMENT/RESIGNATION - REGIONAL PLANNING COMMISSION**

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that Sonja Dresbach's resignation be accepted, effective immediately, and Mary Sanada be appointed to fill this position to the Regional Planning Commission, for a term to expire July 1, 2000.

**99-914 REAPPOINTMENT - SAFETY COMMITTEE**

On motion by Commissioner Short, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that Jess Traver be reappointed to the Safety Committee, for a term to expire August 31, 2001.

**99-915 APPOINTMENT/RESIGNATION - SOUTHWEST TRUCKEE MEADOWS CITIZEN ADVISORY BOARD**

On motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that Dylan Frehner's resignation, be accepted, the Windy Hill/Frost Ranch representative be changed to an at-large representative, and Jeannette Porter appointed to fill the position to the Southwest Truckee Meadows Citizen Advisory Board, for a term to expire June 30, 2001.

**99-916 APPOINTMENT/RESIGNATION - WEST WASHOE VALLEY CITIZEN'S ADVISORY BOARD**

On motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the resignation of Jon Christensen be accepted and Michael Tristam appointed to fill the position as an at-large representative to the West Washoe Valley Citizen Advisory Board, for a term to expire June 30, 2000.

**99-917 ACCENTUATE THE POSITIVE AWARDS - COMMUNITY RELATIONS**

Upon recommendation of Kathy Carter, Community Relations Director, through Katy Singlaub, County Manager, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the purchase of two tables and five head-table seats for \$750 at the annual Accentuate the Positive Awards luncheon to be held by the Truckee Meadows Tomorrow Organization on September 17, 1999, be approved.

**99-918 REQUEST TO SUPPORT SEPARATE BARGAINING UNIT - SHERIFF'S SUPPORT SERVICES BARGAINING UNIT**

It was noted that Howard Reynolds, Assistant County Manager; Pete Ford, Operating Engineers Local Union No. 3; and Bob Burdick, Washoe County Employees Association, were present for comments and questions from the Board.

Upon recommendation of Howard Reynolds, Assistant County Manager, on motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the request of Operating Engineers Local Union No. 3 to carve out a new bargaining unit from the Washoe County Employees Association existing nonsupervisory bargaining unit for a new Sheriff's Support Services Bargaining Unit be denied, and the request that the Union be certified as the exclusive representative for this new bargaining unit, also be denied.

It was further ordered that Operating Engineers Local Union No. 3 can resubmit on November 1, 1999, using the same signature cards exclusive of any recision, and during the interval discussions relative to the bargaining unit composition be held.

**99-919 UNR STUDENT INTERNS - COUNTY VEHICLES - SOCIAL SERVICES**

Upon recommendation of May Shelton, Social Services Director, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the University of Nevada student interns assigned to the Social Services Department be allowed to drive County vehicles after completion of the initial in-service training, receive a motor vehicle driving clearance and the approval of the Department Director.

**99-920 POSITION TRANSFER - ADVANCED PRACTITIONER NURSE - HEALTH/JUVENILE SERVICES**

Upon recommendation of Mary Ann Woolley, Assistant Director, Juvenile Services, on motion by Commissioner Short, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered the following:

1. The transfer of Advanced Practitioner Nurse position from the Health Department to the Department of Juvenile Services, effective September 1, 1999, be approved.
2. The salary range and benefits for this position be commensurate to the same position in the Health Department, effective September 1, 1999, be approved.
3. Future salary adjustments for this position be in accordance with those granted to the Washoe County Nurses Association and not subject to salary adjustments for the Department of Juvenile Services.

**99-921 OVERFILLING DEPUTY SHERIFF POSITIONS - NOVEMBER 1999 LAW ENFORCEMENT ACADEMY - FINANCE**

Upon recommendation of Ron Steele, Administrative Analyst, on motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that overfilling of ten Deputy Sheriff positions for the November 1999 Law Enforcement Academy, be approved, in order to plan ahead for the number of vacancies anticipated in that classification.

**99-922 POSITION TRANSFER - COMMUNITY AND CLINICAL HEALTH SERVICES PROGRAM - HEALTH DEPARTMENT**

Upon recommendation of James Begbie, Health District Officer, on motion by Commissioner Shaw, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that four authorized positions in the Community and Clinical Health Services Program be approved and Human Resources directed to make the following changes:

- 1) Decrease the full-time (40 hours/week) Community Health Nurse II position (Position Control #35) to part-time (21 hours/week) position;
- 2) Increase the part-time Community Health Nurse II position (Position Control #147) from 21 to 27 hours/week;
- 3) Increase the part-time Community Health Nurse II position (Position Control #154) from 32 hours/week to a full-time position (40 hours/week); and
- 4) Increase the part-time Clerk II position (Position Control #215) from 27 to 36 hours/week.

**99-923 RENO-SPARKS INDIAN COLONY - BONEYARD FLAT STORM WATER MANAGEMENT CHANNEL - TRUST APPLICATION**

David Roundtree, Public Works Director, stated that following discussions this morning and some revisions to the draft agreement, an agreement has been reached between the County and Reno-Sparks Indian Colony (RSIC). He further stated that his understanding is that the agreement in final form will be taken to the Tribal Council at their meeting scheduled for tomorrow, and once the agreement has been approved by the Tribal Council, then this will be back on the agenda for the County's approval. He advised that alternative #2, which split the alignment between RSIC and the Liebsch property, is the option that the parties have agreed upon.

Commissioner Sferrazza stated that a question has come up about him being a tribal judge for RSIC, advising that he has never been a tribal judge for RSIC. He further stated that he did represent them 6 to 8 years ago and requested the District Attorney's opinion on whether that would be a conflict of interest.

Madelyn Shipman, Assistant District Attorney, advised that if Commissioner Sferrazza was a tribal judge for RSIC that would be considered a conflict of interest, but since he is not, she feels comfortable there is no conflict.

Commissioners Bond and Shaw both agreed that with the wording in the Agreement, "the parties further agree that the transfer of tribal lands to federal trust status is contingent upon the Colony performing its obligations under Section 1 and the County performing its obligation under Section 2," they would support the trust status application.

Arlan Melendez, Chairman of the Reno-Sparks Indian Colony, thanked the County, Mr. Roundtree and his staff for all the time and hours put into this agreement and project.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the support for the Reno-Sparks Indian Colony federal trust status application for property located on Pyramid Highway be approved.

**99-924 GRIFFITH CANYON/BONEYARD FLAT- KENNEDY/JENKS CONSULTANTS - WATER RESOURCES**

Upon recommendation of Leonard Crowe, Jr., Water Resources Planning Manager, through Ed Schmidt, Director of Water Resources Department, on motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried,

Chairman Galloway ordered the following:

- 1. The recommendation of the consultant review committee to contract with Kennedy/Jenks Consultants for the design, plans and specifications, permitting and final cost estimates for the Griffith Canyon/Boneyard Flat Storm Drainage Project in Spanish Springs Valley, be approved; and
- 2. That staff be authorized to negotiate a scope of services to be approved at a subsequent Board of County Commissioners meeting.

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Katy Singlaub, County Manager recused herself from item #22 and Howard Reynolds, Assistant County Manager, replaced her.

**99-925 RESOLUTION - OIL DRI - NATIONAL ENVIRONMENTAL POLICY ACT**

Commissioner Sferrazza apologized to Commissioner Bond for requesting that this matter be placed on the agenda, as this is Commissioner Bond's district. He further stated that he would withdraw the resolution he submitted so that Commissioner Bond's resolution could be considered.

Jeff Codega, Jeff Codega Planning and Design, on behalf of Oil-Dri Corporation, stated that he is present to address concerns of the County Commissioners and citizens opposing this project. Mr. Codega described what the Oil-Dri Corporation is and does in the mining for the manufacture of cat litter and advised that the property is located on privately owned land separated from neighbors to the West by a line of hills, and is located more than 3 miles from the neighbors to the Northeast; that active mining areas will be limited to 5 to 6 acres per year; and that they will be fenced for safety. He further advised that Oil-Dri will only be surface mining; that they use no chemicals; that once surface mining is completed, the area will be reclaimed; and that they will restore the contours of the land to a natural fashion and native vegetation replanting.

Mr. Codega further stated that Oil-Dri will spend millions of dollars on dust collection equipment that will trap the dust particle content with 99.8% efficiency; that this is well below EPA regulations; that hauling roads will be maintained with water trucks to keep dust at a minimum; that there will be no hazardous particulants emitted into the air; that there will be no effect on the water table; that Oil-Dri will invest about 15 million dollars to start up the operation and will use local contractors and suppliers for the construction work where possible; that initially there will be 35 to 45 positions increasing to as many as 100 over 3 years; and that all employees will be sought from the local community.

Chairman Galloway inquired, if under NEPA, limits would be specified on how many acres actually might ultimately be mined, and the depth for mining. Mr. Codega responded that those items would be squarely addressed--very clear, and iron clad.

Commissioner Bond asked when reclamation would commence. Mr. Codega stated that as soon as they are done mining one area and move on to the next that area would be restored.

Commissioner Short asked if there would be extreme noise, dust, or anything detrimental to the residents around the area. Mr. Codega stated that from their perspective there will be no significant impacts along any of those lines and there will be reports and studies to back those up.

Commissioner Shaw inquired if the truck traffic would just include the 57 acres, or would they be traversing Pyramid Lake Highway. Mr. Codega responded that they did not know what route they would be using, whether it would involve the Pyramid Lake Highway at all, but the options are being evaluated.

In response to Commissioner Bond's inquiry, William Thompson, Vice-President, Oil-Dri Corporation of America, stated that they are still conducting research, traffic studies, etc.; that they would like to file as quickly as they can, but are unable to give a date at this time.

Chairman Galloway read Commissioner Bond's proposed resolution and then called on those wishing to speak for or against this matter.

Catherine Smith, John Bradbury, Pat Smith, Darlene Gardipe, Ellen Pillard, Sam Dehne, Diana Crutcher-Smith, Elaine Letcher, Kathleen Stoneburner, Bob Fulkerson, Kaitlin Backlund, residents of Washoe County, were present and requested that the Board of County Commissioners require Oil-Dri Corporation to conduct an Environmental Impact Statement (EIS) before a permit is issued to allow them to build their proposed facility in the Hungry Valley area.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, it was ordered that the following Resolution, be approved and Chairman Galloway authorized to execute.

**RESOLUTION**

WHEREAS, Oil-Dri Corporation of America is a 58-year-old U.S. company and the world's leading producer of sorbent minerals with a history of compliance with the National Environmental Policy Act; and

WHEREAS, Oil-Dri Corporation intends to submit an application to the Bureau of Land Management for the development of mining and processing facility in Hungry Valley; and

WHEREAS, Due to Washoe County's need to know and understand any impacts before the County can make an informed decision regarding the proposed use;

NOW, THEREFORE, BE IT RESOLVED that all interested and concerned parties comply with the National Environmental Policy Act with respect to Oil-Dri's proposed use of the land; and

BE IT FURTHER RESOLVED that the Washoe County Board of County Commissioners would support an Environmental Impact Statement requirement if determined to be necessary by the Bureau of Land Management.

5:30 p.m. The Board recessed for a short break.

5:45 p.m. The Board reconvened with all members present except Commissioner Sferrazza, who returned at 5:50 p.m. Katy Singlaub, County Manager, also returned to the meeting.

\* \* \* \* \*

5:00 p.m. This was the time set in a Notice of Public Hearing published in the Reno Gazette-Journal on September 3, 1999, to consider second reading and adoption of Bill

No. 1253. Proof was made that due and legal Notice had been given.

The Chairman opened the public hearing by calling on anyone wishing to speak for or against adoption of said Ordinance. There being no response, the hearing was closed.

On motion by Commissioner Bond, seconded by Commissioner Shaw, which motion duly carried with Commissioner Sferrazza temporarily absent, Chairman Galloway ordered that Ordinance No. 1077, Bill No. 1253, entitled, "AN ORDINANCE AMENDING THE WASHOE COUNTY CODE BY CHANGING THE MANAGEMENT INFORMATION SERVICES TO INFORMATION TECHNOLOGY DEPARTMENT AND OTHER MATTERS RELATED THERETO," be approved, adopted and published in accordance with NRS 244.100.

**99-927 PUBLIC HEARING - ALTURAS POWER LINE MITIGATION FUNDS - COLD SPRINGS/BORDERTOWN- COMMUNITY DEVELOPMENT**

5:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on September 3, 1999, to review proposed projects for funding with Alturas power line mitigation funds for the Cold Springs/Bordertown community area.

Bob Webb, Planning Manager, provided background information and answered questions of Board members.

Chairman Galloway opened the public hearing by calling on anyone wishing to speak on this matter.

Julie Macklin, Chair, Cold Springs/Bordertown Ad-Hoc Task Force, stated that their group would like to see their share of the Alturas power line mitigation funds used for a multi-purpose recreation center or community building, described their vision of the size and type of building, and listed numerous events and activities for which the facility would be used by the community. She also answered questions of Chairman Galloway concerning irrigation systems and landscaping outside the building.

\* \* \* \* \*

5:50 p.m. Commissioner Sferrazza returned to the meeting.

\* \* \* \* \*

Commissioner Bond stated that this group was one of the first to present a plan for these funds; that they have stayed with their original plan; and that the citizens are to be applauded for their efforts.

Pat Rosaschi and Kelly Probasco, Task Force members, spoke in support of the proposal and urged the Board to approve their request. Several other individuals had filled out speaker request forms indicating their support for the proposed community building, but did not wish to speak.

There being no one else wishing to speak, the Chairman closed the public hearing.

On motion by Commissioner Bond, seconded by Commissioner Sferrazza, which motion duly carried, Chairman Galloway ordered that the project proposed by the Cold Springs/Bordertown community area for a multi-purpose recreation center (community building) be selected for funding with Alturas power line mitigation funds of \$500,000 and that the Public Works Department (lead) with the Parks and Recreation Department be appointed as project manager.

**99-928 PUBLIC HEARING - ALTURAS POWER LINE MITIGATION FUNDS - STEAD/ANDERSON ACRES - COMMUNITY DEVELOPMENT**

5:00 p.m. This was the time set in a Notice of Public Hearing, published in the Reno Gazette-Journal on September 3, 1999, to review proposed projects for funding with Alturas power line mitigation funds for the Stead/Anderson Acres community area.

Chairman Galloway opened the public hearing by calling on those wishing to speak concerning this matter.

Bob Webb, Planning Manager, distributed new information concerning cost increases on some projects and stated that the total projects proposed for the Stead/Anderson Acres communities exceed the allocated \$500,000; therefore, the Board will have to select the projects. He further stated that two of the proposed projects, i.e., \$3,000 for Friends of the North Valleys Regional Sports Complex and \$150,000 for road repair in Anderson Acres, do not meet the funding criteria established by the Board. Mr. Webb introduced various task force members from each area as they made their presentations.

Richard Foncault described the request to use \$300,000 to build one Babe Ruth, adult-sized, baseball field at the North Valleys Regional Sports Complex (NVRSC), stating that the existing fields do not meet the needs of the community; that Babe Ruth serves the 13 to 18 years age range, who are children in need of organized activities; and that Lemon Valley has pledged \$100,000 of their Alturas mitigation funds to this project, which could be used for lights for the field. He pointed out that none of the fields at the NVRSC are lighted; that their games have to be stopped when it gets dark; and that Washoe County Parks and Recreation will not be able to complete the ballfields at this facility for many years.

Bud Solmonsson, Manager of the NVRSC, stated that he has been working with the task force and presented the proposals to install picnic shelters at the NVRSC (\$45,000), develop an interpretive trail from the NVRSC to the Swan Lake Nature Study area (\$10,000), and construct a skateboard park and in-line skating facility at the NVRSC (\$100,000). He stated that he is receiving many requests for shaded areas from mothers who bring their children out for picnics and many requests for a skating facility, noting that Lemon Valley has already committed \$100,000 of their Alturas mitigation funds to the skate park. Mr. Solmonsson also discussed the importance of the Swan Lake Nature Study area stating that the park is only 1.7 miles from Swan Lake and a connecting trail would allow the park to be used as a staging area when large groups, such as school field trips, visit the area.

Geri Willems, Chair of the Task Force, stated that she does understand that the proposal to use \$3,000 as "seed" money to start a "Friends of the North Valleys Regional Sports Complex" organization does not fit the criteria established, but she does want the Commission to be aware of the idea for possible future consideration. She further stated that it became obvious early on that Anderson Acres had needs that were very different from Stead's and they decided to focus on the NVRSC because it benefits everyone in the North Valleys.

Mr. Webb then discussed the projects proposed by the Anderson Acres residents and stated that the Assistant District Attorney has advised that purchase of a Pumper/Tender Fire Apparatus is a capital project, but it is not a permanent improvement; therefore, it will require a policy decision by the Board as to whether or not it meets the established criteria to be eligible for these mitigation funds.

Nancy Mertz, Anderson Acres resident, stated that Anderson Acres is the only community that was grouped with another area but is in no way connected to the other community and presented numerous slides on the overhead depicting views in the Anderson Acres area, the impact of the Alturas power line, the current facility used as their fire house/community center, the condition of their roads during dry, muddy and snow situations, etc. She emphasized that fire protection is a very important issue, showing slides of previous fires in the area and noting that their fire department is called out to fires all over and not just in Anderson Acres. Ms. Mertz stated that the needs in Anderson Acres are critical; that these mitigation funds are the only source of revenue to address some of these needs; and that they feel their needs are much more important than providing recreational facilities at the North Valleys Regional Sports Complex.

Karen Mullen, Parks and Recreation Director, discussed possible opportunities to provide matching funds for some of the park projects, but stated that she would not like to make any commitments until they know for sure. She also answered several questions from Board members concerning the proposed projects and their costs.

Chairman Galloway then called on the residents who had signed up to speak. The following individuals urged the Board to support the Anderson Acres projects:

Tracy Moore, Captain, Peavine Volunteer Fire Department, Arthene Saicheck, Mike Barry, and Al Wurth discussed the importance of

fire protection.

Vallin Barry described their vision for the park in Anderson Acres.

Nicole Poirier cited statistics concerning the total number of existing baseball/softball fields and stated that she does not think it is fair to single out one age group to benefit.

Ona Flowers, Anderson Acres, stated that the two communities are totally different; that Stead also had \$125,000 of mitigation funds from the City of Reno; that Lemon Valley has pledged part of their funds to the park projects; that these funds are meant to improve the quality of life in the impacted areas; and that Anderson Acres has been neglected by the County for years.

Dorothy Duffney, Anderson Acres resident, stated that a neighbor had to be air lifted to the hospital, but the helicopter could not land by his home because of the power lines.

The following individuals spoke in support of the projects at the NVRSC:

James Tatomer, President of the North Valley Babe Ruth Baseball League

John Willems

Vicky Scott, former Parks Commissioner

Anthony Herrera, Stead PTA President, stated that he has been asking for safety lights in the crosswalks on Stead Boulevard and flashing lights coming off the freeway to let people know schools are located right there, especially since there have been three fatalities, but he received no response to his request.

There being no one else wishing to speak, Chairman Galloway closed the public hearing.

Commissioner Bond listed the projects, in priority order, that she felt should be selected. She further stated that she is aware of the condition of the roads in Anderson Acres and pledged that she would see what could be done about them and that she would work towards finding a way to get the baseball fields completed.

On motion by Commissioner Bond, seconded by Commissioner Short, which motion duly carried, Chairman Galloway ordered that the following projects and amounts be selected for funding with the Alturas power line mitigation funds of \$500,000:

1. Community Center/Fire Training Center in Anderson Acres:	\$ 79,600.00
2. Park Equipment for the Anderson Acres Community Park:	\$ 10,788.40
3. Pumper/Tender Fire Apparatus for Anderson Acres:	\$150,121.00
4. North Valleys Regional Skateboard Park and In-Line Skating Facility:	\$100,000.00
5. North Valleys Regional Park Trail to the Swan Lake Nature Study Area:	\$ 10,000.00
6. North Valleys Regional Park Picnic Shelters:	\$ 45,000.00
7. Remaining funds to be used for lights for the ballfield or for the Babe Ruth field at the NVRSC	

It was further ordered that the following departments be designated to manage implementation of the projects:

1. Parks Department: Park equipment for Anderson Acres, Skateboard Park, Swan Lake Nature Study area trail, Picnic Shelters, and Babe Ruth ballfield and/or lights for ballfield at the NVRSC.

2. Public Works (lead) and Parks Departments: Community Center/Fire Training Building in Anderson Acres.

3. Finance (lead) and Purchasing Departments: Pumper/Tender Fire Apparatus for Anderson Acres.

5:00 p.m. This was the time set to consider two appeals filed from the decision by the Planning Commission regarding Site Review Case No. SR12-4-98, Tannenbaum Village. An appeal of conditions of approval of the Planning Commission was filed by the applicant regarding Condition No. 3 and Condition No. 16. A concurrent appeal was filed by John C. Wood, William E. Buck and Stephen E. Buck to reverse the action of the Planning Commission. A conditional approval of Site Review Case No. SR12-4-98 to develop a resort with five components:

- 1) family lodging,
- 2) second story dwelling units,
- 3) retail neighborhood center,
- 4) auto and light truck repair, and
- 5) camp sites

was granted by the Planning Commission. The project includes 40 units of short term lodging with a maximum of twenty second floor dwelling units involving 41,250 square feet within three buildings. The fourth structure, 16,000 square feet, is a proposed commercial neighborhood center of 8,000 square feet with a second story managers' units. The auto/light truck repair with one service bay involves the fifth structure of 3,000 square feet for a total of ñ60,250 square feet within five buildings. In addition the project would include four picnic or overnight camp sites with complete hookups and a caretaker's cabin. Because the project proposes utilizing the former Limited Commercial (C-1) Zoning District under the Transition Policy, a site review is required. The property, originally developed as the Tannenbaum Ski Resort, is located on the Mt. Rose Highway across from the Reindeer Lodge approximately 9 miles west of the intersection of Mt. Rose Highway and Virginia Street (U.S. 395 S). The project request involves a ñ4 acre portion of a ñ5 acre parcel and is designated Medium Density Suburban (MDS) in the Forest Area Plan and the property falls within the standards of the Scenic Corridor. The parcel is situated in a portion of Section 16, T17N, R19E, MDM, Washoe County, Nevada, Washoe County Commissioner District No. 1.

Madelyn Shipman, Assistant District Attorney, advised that the applicant, Gary Schmidt, has requested a continuance for two weeks; that it is her understanding that the appellants are not opposed to a continuance but have requested they be first on that agenda; and that a further issue has been raised by the applicant as to whether or not the Wood/Buck group have standing to appeal, which requires an interpretation of the Code by the Board.

Chairman Galloway opened the public hearing.

Sharon Kvas, Department of Community Development, provided background information concerning the proposed project and stated that staff will defer to the District Attorney's office as to the legal issue raised.

Gary Pakele, attorney representing Mr. Schmidt, cited Washoe County Development Code Section 110.810.50(b)(2) concerning who can appeal Planning Commission and Board of Adjustment decisions and stated that the Woods Group did not attend any of the Planning Commission meetings, did not submit any written testimony, and did not testify at any of the hearings, as the quoted section specifically requires. He also read paragraph (c) of the same Section which provides that the reasons for an appeal shall be based upon the evidence presented to the Planning Commission and stated that the Woods Group did not present any evidence to the Planning Commission. Mr. Pakele stated that the Code is very specific in this regard and not open to interpretation and, for these reasons, it is their contention that the Woods Group has no standing to appeal the Planning Commission decision.

Commissioner Sferrazza noted that the section cited applies to special use permits and asked what section of the Code governs site plan review. Ms. Shipman explained that the Code is silent on site plan review appeals and it is her understanding that staff has followed the same procedures as a matter of practice.

Robert Sellman, Director, Community Development Department, stated that there is no specific language in the Code dealing with site review appeals and that it is his opinion that the right to appeal must be reasonably broad. Dean Diederich, Planning Manager, stated that site plan reviews are unique to the transition process.

Stephen Buck, representing the appellants, stated that he is one of the owners of the property adjacent to the applicant. He stated that just as he arrived at the Planning Commission hearing on this case, he received a phone call from the manager of another property they own advising him of a flooding problem on that property, which was an emergency that he had to attend to. Mr. Buck offered to produce receipts of water extraction equipment that he rented and affidavits as proof of the emergency and stated that he believes this falls under the category of 'circumstances beyond his/her control' in the same section of the Code that was read earlier.

Commissioner Shaw asked if the determination of 'circumstances beyond his/her control' is a matter for the Board to decide.

Ms. Shipman advised that Mr. Diederich has shown her the section of the Code dealing with transition which provides that a site plan review would be considered fulfilled under this section if it were processed similar to a variance, special use permit, tentative map, etc.; and that this site plan review would have been closest to a special use permit, which is why staff used this process. Ms. Shipman further advised that the Board is the arbiter of the evidence and the determiner of the facts; and that if the Board believes that the circumstances-beyond-control provision applies, then the other adverse party appeal requirements would not need to be addressed.

Chairman Galloway stated that since there is no language specific to site review in the Code and there is doubt, he would rather let the appeal go forward. Commissioners Shaw and Sferrazza concurred.

Stating that he does find that Mr. Buck was prevented from participating in the Planning Commission review by circumstances beyond his control, on motion by Commissioner Sferrazza, seconded by Commissioner Shaw, which motion duly carried, Chairman Galloway ordered that the appellants, John C. Wood, William E. Buck and Stephen E. Buck, do have standing to appeal in this case.

Ms. Kvas stated that the consent of the appellant would be required in order to grant the applicant's request for a 2-week continuance. Mr. Buck stated that he has no objection to the continuance and requested that the hearing be placed in the first part of the public hearing section of the agenda. Chairman Galloway stated that he could not make any guarantees concerning that.

On motion by Commissioner Sferrazza, seconded by Commissioner Bond, which motion duly carried, Chairman Galloway ordered that the public hearing on the appeals regarding Site Review Case No. SR12-4-98 be continued to 5:00 p.m., September 28, 1999.

Mr. Pakele further requested that the Wood/Buck appeal be heard first at the next hearing and he was advised that the Board would take that under consideration.

**99-930 RECONSIDERATION - SPECIAL USE PERMIT CASE NO. SPW4-13-99 - NORTH VALLEY HIGH SCHOOL (APN 082-473-01)**

5:00 p.m. This was the time set to reconsider the previous action taken on the appeal of the Golden Valley Homeowner's Association from the Washoe County Planning Commission's approval of SPW4-13-99 applied for by Steve Williams on behalf of the Washoe County School District to develop and operate a two-story high school that will service up to 2,000 students for grades 9-12 in the North Valleys area, proposed to be built in one phase and includes 265,000 square feet of building space with classrooms, an auditorium, gymnasium, and library; and in addition to the building, the site is proposed to have two baseball fields (one lighted), two softball fields, four basketball courts, six tennis courts, and one lighted multi-purpose sports field to accommodate football, soccer, and track. The 80-acre parcel is designated Low Density Suburban (LDS) and General Rural (GR) in the North Valleys Area Plan, and is located on the south side of Golden Valley Road at the southeast corner of the intersection of Estates and Golden Valley Road in Commission District 3, Section 14, T20N, R19E, MDM, Washoe County, Nevada.

Chairman Galloway stated that the Board voted to reconsider this item because new information was received which was not available at the July 27th hearing; that he has in hand 60 request-to-speak forms; that if everyone speaks for 3 minutes, that portion of the hearing alone will last over 3 hours; and that nothing will be served by a complete repetition of the previous hearing. He further stated that the basis of the homeowners' appeal was safety concerns caused by the increased traffic; that the Board was told they could not impose a condition outside the frontage of the school property unless the County wanted to pay the costs; and that on July 27th, three Commissioners were persuaded that these impacts were detrimental to the public health, safety and welfare

and could not be mitigated. The Chairman stated that new information has been received which indicates there is a possibility the Board could impose a condition requiring additional improvements to Golden Valley Road to mitigate the unsafe conditions. Chairman Galloway also advised that he requested the County Engineering Department to examine and study O'Brien Pass and that the County Engineer reported back to him that the clearance is sufficient for large trucks to pass each other on the curves.

Vice Chairman Short stated that he voted for the appellants at the previous hearing strictly because of the traffic safety problems; that those concerns are what he hopes can be resolved in light of the new information they have received; and that the Board will not be debating whether this site is the best location for a high school. He further stated that school site choices are decided by the School Board, not the Washoe County Commissioners; and that the Commissioners have to determine whether the impacts can be mitigated sufficiently to permit this use on this site.

Commissioner Sferrazza stated that he felt the issue of the appeal was broader than just traffic safety as there was other testimony at the previous hearing.

Chairman Galloway stated that the issue of what could be appealed was discussed at the previous hearing; that he questioned the appellant at that time as to whether or not they wanted to raise other issues not raised in their appeal letter; and that the appellant's response was basically they felt all they had to do was make the case that the increased traffic would create safety hazards.

Madelyn Shipman, Assistant District Attorney, stated that it would be up to the Board whether or not to limit the subject matter. She did emphasize that the question of whether or not there are other sites for this school is not relevant; that a discussion of other sites is outside this Board's parameters; and that the Board can only consider the appropriateness of this site.

Commissioner Shaw stated that he thinks the Board should focus on the new information and whether it addresses the issues which resulted in the previous denial.

Commissioner Sferrazza submitted a map of a proposed development called the Tobler Ranch located on the north side of Golden Valley Road across from the high school site and requested it be made an exhibit, stating that it is his understanding the project is planning to annex into the City of Reno. He further stated that he would like to see something in the conditions to address annexation concerns.

Commissioner Sferrazza also stated that one of the residents, Nancy Jackson, has a video tape of a "Face-The-State" interview with Washoe County School District Superintendent Jim Hager and requested that the tape be put on the record in case of an appeal. The tape was placed on file with the County Clerk.

Chairman Galloway then opened the public hearing and stated that he would first like staff to outline the discussions that have occurred since the last meeting.

Robert Sellman, Director, Community Development Department, stated that he would defer to the Engineering Division and the Regional Transportation Commission because those are the agencies that can address the roads and traffic safety issues.

Derek Morse, Executive Director, Regional Transportation Commission, explained that NRS 278B.240 provides that, if the Board conditions the School District to build improvements that are included under the impact fee program, they are eligible for reimbursement for any costs they expend completing those improvements. He further stated that the School District has approached RTC and expressed interest in doing certain improvements on the portion of Golden Valley Road from Beckwourth to Estates; that such improvements would be creditable under this NRS provision; and that what would be necessary is for the School District to enter into an agreement with the RTC.

Commissioner Sferrazza stated that it was his understanding that these credits can be given or traded to the School District by developers in return for development elsewhere. Mr. Morse stated that if the School District requested reimbursement and wanted credits because they had a buyer, RTC would be happy to do that rather than a cash reimbursement because of the cash flow

situation in the fund.

Commissioner Sferrazza asked if any of the buyers have been identified and stated that if any of them are developers in Golden Valley, he thinks that should be disclosed. Mr. Morse stated that he has no knowledge regarding who the credits might go to and explained that with private developers these credits are a commodity that they can give away, sell or trade; that those are private transactions; and that RTC only records where the transfers go for tracking purposes.

Commissioner Sferrazza asked if there was anything addressing the intersection at Spearhead and Golden Valley Road in the new information. Mr. Morse stated that the only area that would be reimbursable under the impact fee program would be the section from approximately Beckwourth to Estates and that improvements east of Estates would not be reimbursable because they are not needed in the 10-year time period.

Commissioner Sferrazza asked if there was anything new addressing the signalization at US395 and Golden Valley Road. Mr. Morse responded that would come under the purview of the Nevada Department of Transportation (NDOT), which historically has not allowed signals until they are warranted; and that, from the traffic numbers he has seen, a signal is certainly not warranted at this time. In further response, he explained that signals can be paid for with impact fees, federal funds, or a combination of monies, depending on the particular situation. Commissioner Sferrazza asked if the Commission could require those impact fees now as part of a motion if the special use permit is approved. Ms. Shipman stated that there is already a condition on the project requiring the School District to pay their proportionate share of the signal. She stated that if the Commissioner is asking whether the Board can require the School District to install the signal today, she would reiterate that the intersection is under the jurisdiction of NDOT and NDOT will not allow a signal there until they say it is warranted.

Chairman Galloway disclosed that he met with the applicant and discussed the option of making the section of Golden Valley Road from Beckwourth to Estates into 4 lanes, as well as other options; and that the indication he had from both the School District and County Engineering was that RTC had conceded that it was just a matter of time before that road would have to be widened anyway. He stated that the other part of that discussion was whether there was enough right-of-way for 4 lanes with bike/pedestrian lanes and he was advised that RTC does have the ability to acquire the land through eminent domain with the County's consent.

Mr. Morse confirmed that RTC does have eminent domain power with the concurrence of the jurisdiction within which the property is located; that widening Golden Valley Road from Beckwourth to Estates will require some additional property; and that current RTC projections are that within the next 10 years there will be enough development in that area putting traffic onto these roads that this section of Golden Valley Road will have to be widened whether a school goes on this site or not. He further added that looking at the year 2020 time frame and assuming that development occurs where it is projected to occur, Golden Valley Road will need to be widened on down to Spearhead by that time.

Chairman Galloway asked if the site distance and conditions at the intersection of Spearhead and Golden Valley meet the standards. Mr. Morse stated that the current intersection configuration, given the posted speed limit, does meet the nationally recognized standards for site distance and safety; that a study was done in 1998 looking at the accident history of this intersection; and that, according to police records, none of the accidents were attributable to site distance problems, but were due to driving over the posted limit.

Dave Roundtree, Public Works Director, reported that staff has participated in the review of the suggested additional improvements and that he does concur that widening Golden Valley Road between Beckwourth and Estates will certainly improve the traffic flow and safety. He also reviewed other suggested alternatives that had been studied. Chairman Galloway asked Mr. Roundtree to comment on the discussions held concerning O'Brien Pass. Mr. Roundtree reiterated that the County Engineer did go out and check O'Brien Pass and determined that large vehicles can safely pass one another. He further stated that there are constraints on this roadway; that during inclement weather, it would certainly be incumbent upon drivers to go the posted speed limits; that it is not a 45 mph road; and that the posted speed limits and the warning signs are there for a purpose. Mr. Roundtree stated that there are other ways to call people's attention to the tight areas; that flashing lights could be put on the warning signs encouraging reduced speeds; that during inclement weather a flashing signboard could be put out to warn people that they need to slow down when the

road is wet or icy; and that those kinds of things could be used to call greater attention to the hazards and the necessity to observe the posted speed limits. He further stated that staff could find no record of O'Brien Pass ever being closed; that that particular roadway is one of the first priorities for snow removal; and that if there was a situation that staff could not deal with, they would close the road.

Commissioner Sferrazza asked Mr. Roundtree to explain how the credits (regional road impact fee program) work. Mr. Roundtree responded that when a developer constructs a facility that is eligible for the program, they receive credit for the value of those improvements; that they can use those credits to offset the impact fees that are required of their development; and that if they end up with more credits than they need to pay the impact fees, or excess credits, those become a commodity which can be traded or sold to other developers. Commissioner Sferrazza asked Mr. Roundtree if he could identify any credits that might be given to the School District. Mr. Roundtree stated that he could not. Chairman Galloway stated that another requirement is that the credits have to be used within the same benefit district. Mr. Roundtree explained that there are three districts and he and Mr. Morse described the boundaries of the districts.

Steve Williams, Planner, Washoe County School District, displayed drawings on the document camera showing the proposed 4-lane road section between Beckwourth and Estates and the section in front of the school with through travel lanes, right and left turn lanes, center median, pedestrian/bike paths, etc. and he pointed out the area in which additional right-of-way needs to be acquired. He stated that they are proposing to address the V-ditch problem by going outside the paved section and regrading to a maximum of 3-1 slope; that that is not so steep that if someone did end up there, they would be able to drive back out; and that there would be at least 9 feet between the travel lane and the edge of the V-ditch in this improved section. Mr. Williams also displayed a map of the entrances/driveways on the school property and described in detail the proposed ingress/egress vehicular traffic patterns and showed where the sidewalks will be for the pedestrian traffic.

Paul Solaegui, traffic consultant for the WCSD, stated that the most significant item is that there is now a feasible 4-lane design for the roadway which has been heavily coordinated with RTC and County staff with a viable funding mechanism in place. He stated that the validity of the traffic counts has been questioned; that those counts are 7 months old, but are still valid; that NDOT just released their daily count book and the numbers show good correlation; and that the future projections have been re-evaluated and are still valid. Mr. Solaegui stated that a signal at one of the school driveways has been heavily discussed, but the numbers do not warrant a signal. Mr. Morse stated that if a signal was warranted at one of the entrances, it is quite likely that it could be supported by the impact fee program, but, unless the school district doubles or triples the size of this school, the counts do not warrant such a signal. In response to the Chairman, Mr. Morse stated that basically what triggers a signal is delay time at an intersection, although there are about a dozen different factors that are looked at.

Commissioner Shaw asked Mr. Solaegui what they had projected for the traffic using O'Brien Pass. Mr. Solaegui responded that they projected approximately 5 to 10 percent of the traffic might go that way.

Commissioner Sferrazza stated that he had met with Mr. Williams, who indicated to him that the School District would be using credits from developers and had identified one developer and asked Mr. Williams if he could identify any others they would be using. Mr. Williams responded that he thinks the payback will be a combination of the use of credits and a reimbursement from the RTC's fund over a period of time; that to date Mr. Lissner (Lifestyle Homes) is the only developer who has indicated that he would be interested in buying credits from the School District.

Commissioner Sferrazza asked if there were any developers in the Golden Valley area. Mr. Williams responded that he has not spoken to anyone in the Golden Valley area about that. Commissioner Sferrazza asked Mr. Williams if he was familiar with the Tobler Ranch project. Mr. Williams stated that his only knowledge of that is the map that he received this morning.

Commissioner Sferrazza stated that when they met, Mr. Williams indicated that the School District has no intent to annex to the City of Reno; that he has been advised that the Tobler Ranch project, which is directly across from the school site, is trying to annex to the City of Reno through the school property; and asked Mr. Williams whether they would have any objection to dedicating the sidewalk in front of the school to Washoe County in return for an easement in perpetuity to be used by the School District so that the County could protect against any annexation threat to the Golden Valley area.

Mr. Williams responded that he has had no correspondence with the Tobler Ranch people; that after receiving the map, he called their Las Vegas office, but they have not yet returned his call; that this is his first indication of this project whatsoever; and that dedicating any property would have to be decided by the Board of Trustees.

Chairman Galloway then called on those who had filled out speaker request forms.

The following individuals spoke in support of granting the special use permit:

- Cheryl Detrick, Advocates for Education
- David Morgan
- Lewis Reiwitch, representing Silver Lake Property Owners Assn.
- Toni Ralston
- Kirk Reames
- Robert Smith
- Gary Mentzer
- David Howard, Yes-Yes For Kids
- Bob Asselin
- Mary Asselin

The following individuals did not wish to speak, but had indicated their support for the school on the speaker request form and the Chairman read their written comments when provided:

- Randa Morales
- Daryl Drake
- Jacqui Munson
- Pamela Mentzer
- Lydia Velez

The reasons given for supporting the high school were that the traffic and safety concerns have been addressed; that they do not believe the students will be using O'Brien Pass to get to Sun Valley for lunch because they do not have that much time for lunch; that by the time the school is built, or shortly thereafter, there will be other fast-food restaurants located nearby; and that they would rather have a school on this site than hundreds of homes that would be annexed into the City.

The following individuals spoke against approval of the special use permit:

- Bonnie Edwards
- Ron Johnson
- Roger Edwards
- Gene Hillygus
- Michael Hoctor
- Nancy Jackson
- Susan Terry
- Neal Cobb
- Barbara Walsh
- Ron Rasmussen
- David Walsh
- Ted Lienhard
- Cliff Mueller
- Sonja Dresbach

The following individuals did not wish to speak but had indicated their opposition to granting the special use permit on the

speaker request form and any comments were read by the Chairman:

Maureen Burke  
Charlotte Heatherly  
Georgiana Brooks  
Douglas Stutzman  
Deb Stutzman  
Suzan Slack  
Kenneth Slack  
Joyce Mayo  
Mary Cobb  
Theresa Nannini  
Gary MacKay  
Loachia Nelson  
Fred Pilling  
Connie Pilling  
Gerry Wilmuth  
Barbara Rummer  
Sandra Burgess  
Mark Curry  
Stephen Rogers  
Cindy Fogleman  
Margaret O'Doan  
Karen Hopple  
Kenneth Hopple  
Nancy Rumburg

The issues and concerns discussed were that the proposed road improvements will not solve the traffic safety problems this school will create; that O'Brien Pass is too dangerous for teenagers to be driving on; that adequate fire and emergency services have not been addressed; that the northeast corner of the school building will sit on an earthquake fault; that there is no place for the kids to go for lunch; heavy traffic and horseback riding do not mix; and that the stadium lights will adversely impact the residents.

Roger Edwards, representing the appellant, urged the Board to deny the special use permit because of safety issues and the impacts on the local community. He stated that they do feel they were misdirected by the Department of Community Development when they filed their appeal and they would have listed many more reasons in their appeal had that not happened. Mr. Edwards further stated that the proposed road changes do address some of the concerns, but to really make it safe, Golden Valley Road should be 4 lanes all the way to Spearhead and there should be a signal at the freeway; that the annexation buffer zone should be a condition of approval; and that at the previous hearing petitions were submitted containing the signatures of 437 Golden Valley residents who are opposed to this school.

Commissioner Sferrazza requested that a copy of the newspaper article regarding the property that will be needed for the additional right-of-way also be put on the record and it was placed on file with the Clerk.

Ron Rasmussen, 910 Winchester Drive, stated that he is one of the nine homeowners that will be impacted by the road widening; that he has had a livestock boarding business there for 15 years; and that losing 34 feet of his property will seriously impact his business and his quality of life. He further stated that if the property is reduced to less than an acre, they cannot have wells and septic. Chairman Galloway stated that the attorney has just told him his zoning would be grandfathered in. Mr. Rasmussen stated that he understands he would be paid for his property, but asked how he would be compensated for the loss of his business.

Sonja Dresbach, stated that at the previous hearing the homeowners had requested some additional conditions in case the special

use permit was approved; and that they would still like those to be included as well as a couple of new ones to address property rights and the "grandfathering" previously discussed for those properties that will be needed to widen the road. In response to Chairman Galloway, Ms. Dresbach stated that Mr. Edwards had covered some of the additional conditions, such as widening the road all the way to Spearhead and signalization at US395 and Golden Valley; and that she would have to get the others from someone else.

Madelyn Shipman, Assistant District Attorney, stated that the School District has no control over property rights, zoning or vested rights; therefore, a condition on this special use permit pertaining to that would not be appropriate. Ms. Shipman further stated that anytime you have a developed property subject to eminent domain, such as 1-acre residential in this case, the zoning is grandfathered in even if the property goes to less than an acre as long as the use does not change.

Chairman Galloway stated that exactly how much property needs to be taken and whether or not it will all be from the north side of Golden Valley Road or part from the north and part from the south, is a decision that will be made by RTC after they do their engineering; that O'Brien Pass is a bad situation, but the majority of the traffic to and from this school will be to the freeway; and that having 4 lanes will eliminate the left-hand turn problems which he thought would cause bottlenecks and other problems.

In response to one of the speakers, Mr. Williams stated that there were studies done regarding other schools on this site, but the School District has no plans to put anything other than a high school on this site.

Commissioner Shaw asked about raised medians in front of the school property and about securing the property for the widening project. Mr. Morse stated that the plans right now are preliminary; that he would suspect there would be a raised median between Beckwourth and Estates; that right in front of the school where there are a lot of turning movements, raised medians can become more of a problem than a safety feature; and that before they will know exactly how much property and which property is needed to widen the road, the road alignment and design will have to be figured out. He stated that there are many things they look at and they try to anticipate and address future problems in the process.

Chairman Galloway stated that he is looking at a sketch called "option 2" which shows 4 lanes continuing past Estates Drive all the way to the first driveway of the school with a transition down to 2 lanes between there and the second driveway and that is the plan he is favoring. He further stated that it will take 2 years to build this school, it will not take 2 years to build fast-food restaurants; that once this school is built, the restaurants will follow; and that he does not think the students will be driving to and from Sun Valley for lunch.

Commissioner Sferrazza stated that on the Tobler Ranch map that he submitted earlier, the red area directly on Golden Valley Road right across from the school is planned for fast-food, which would be a major intrusion on the residents of Golden Valley. He then reiterated his earlier remarks concerning annexation and again requested a condition requiring the School District to dedicate an anti-annexation buffer strip so that the City of Reno could not annex anything north of Golden Valley Road. Ms. Shipman cautioned the Board that imposing a condition requiring this dedication would be a taking of property.

In response to Chairman Galloway, Dean Diederich, Planning Manager, advised that neither the school site nor the Tobler Ranch property is within the City of Reno Sphere of Influence; that for either of them to annex, a comprehensive plan amendment would be required; that there would be no economic advantage for the school to be in the City once it is constructed; and that staff has not been made aware of the Tobler Ranch proposal yet. He further stated that the Regional Planning Commission did approve a Reno City Master Plan Amendment for a fast-food location right across from the Wendy's and the current focus for that is over at North Hills. Mr. Diederich also suggested that one way to protect Golden Valley from annexation would be for the Commission to sponsor a Regional Plan Amendment to have the Golden Valley community designated as either "rural" or "suburban."

Chairman Galloway asked the School District representatives to respond concerning their previous attempt to annex this site into Reno and their future annexation plans. Mr. Williams explained that they did apply for a change in the Sphere of Influence solely for the purpose of saving money on the sewer connection fees; that at that time the Planning Commission told them they were premature because the Planning Commission was still considering the amendment request by the property to the south of the school site and they should wait 60 days; that during that time there was a lot of negative comment; that they do not want to be in an

annexation war; and that they withdrew their application. He further stated that they are proceeding under the County and that they have no intention of annexing this site into the City of Reno.

Chairman Galloway stated that if this special use permit is going to be approved, the minimum he would like to see is the 4 lanes extended from where they end now up to at least the first driveway of the school; that in the construction of those improvements, the V-ditch hazards be addressed; and that there be bike lanes on both sides.

Commissioner Short stated that he would move to deny the appeal and uphold the Planning Commission's conditional approval of the special use permit with the additional road improvements as outlined by the Chairman. He further stated that he would like to request that the School District consider a "closed" campus for this particular school and that the Department of Community Development take whatever action is necessary to designate the Golden Valley area as "rural" or "suburban."

Chairman Galloway stated he would second the motion and emphasized that he is relying on the School District not annexing this property into the City of Reno.

Commissioner Shaw suggested that the School District also be requested, not conditioned, to consider extending the 4 lanes eastward to the end of the school property once RTC has their design plans and knows what the costs will be.

Commissioner Sferrazza requested clarification and suggested different wording on Condition No. 10 concerning the stadium lighting, which was agreed to.

Commissioner Sferrazza then requested that the motion be amended to include the request that the School District dedicate a strip of land along the northern boundary of the school site to Washoe County, reserving unto themselves the use of that property for any purpose they want, so that the County will have an annexation buffer to protect Golden Valley. Commissioners Short and Galloway agreed to amend the motion.

Mr. Sellman requested a clarification to specify that the road improvements will be added to the RTC CIP program according to appropriate procedures before construction of the road starts so that it can be paid for by the RTC funds. Chairman Galloway agreed and stated that that is one of the conditions with which the School District will have to comply. Mr. Morse explained that anyone can make the request to include this road in the 10-year CIP; that there is a non-refundable \$5,000 fee because of the necessary technical analysis; and that the School District has indicated they would be more than willing to make the request. Commissioners Short and Galloway amended the motion to include a specific condition that the School District will make this request.

Commissioner Sferrazza expressed his appreciation that his requests were incorporated into the motion but explained that he could not support the motion because he is opposed to the involuntary condemnation of property for widening Golden Valley Road, the concerns regarding O'Brien Pass have still not been addressed to his satisfaction, the blind intersection at Spearhead and Golden Valley is still a problem, and signalization at US395 and Golden Valley will not happen until sometime in the future.

Having made the following findings:

1. Consistency: That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the North Valleys Area Plan; the buildings have been designed, and conditions of approval have been added, to ensure that all colors and materials will be compatible with the surrounding neighborhood, and the provision of sufficient water rights has been demonstrated;
2. Improvements: That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities are either already in place, or will be provided for through the conditions of approval; level of service "C" shall be maintained, deceleration lanes shall be provided, and a sidewalk or pedestrian path shall be installed; the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;

3. Site Suitability: That the site is physically suitable for the type of development and for the intensity of the development; the majority of the site is relatively flat, and the area containing slopes will be primarily undeveloped; all grading at the base of the slopes has been required to be rounded and/or smoothed out and will be revegetated to a natural state;

4. Issuance Not Detrimental: That issuance of the permit will not be significantly detrimental to the public health, safety or welfare, injurious to the property or improvements of adjacent properties, or detrimental to the character of the surrounding area; the school is located in an area that is primarily suburban with a land use of Low Density Suburban to the north, east and west, with Medium Density Suburban, Low Density Suburban and some High Density Rural to the south; in addition, densely planted trees will be provided where the school abuts residential homes;

5. That the Washoe County Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting; and

6. That the Washoe County Commissioners gave reasoned consideration to the information received from the Washoe County Planning Commission, contained within the staff report and received during the public meeting(s);

on motion by Commissioner Short, seconded by Chairman Galloway, which motion duly carried with Commissioner Sferrazza voting "no," it was ordered that the appeal of the Golden Valley Homeowners' Association of the Washoe County Planning Commission's conditional approval of Special Use Permit Case No. SPW4-13-99 for the Washoe County School District's North Valleys High School in Golden Valley be denied and the special use permit be approved subject to the following conditions as established by the Washoe County Planning Commission on June 15, 1999 and amended by the Board of County Commissioners on September 14, 1999 to include additional improvements to Golden Valley Road and a clarification of the stadium/athletic field lighting:

**ADOPTED CONDITIONS FOR SPECIAL USE PERMIT CASE NO. SPW4-13-99**

Washoe County School District - North Valleys High School

(As approved by the Washoe County Planning Commission on June 15, 1999 and modified by the Washoe County Commission on September 14, 1999 after re-consideration of an appeal of the Planning Commission Approval)

**\*\*\*IMPORTANT PLEASE READ\*\*\***

UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT. COMPLIANCE WITH THE CONDITIONS OF THIS SPECIAL USE PERMIT IS THE RESPONSIBILITY OF THE APPLICANT, HIS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES. ANY OPERATIONS CONDITIONS ARE SUBJECT TO REVIEW BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT PRIOR TO THE RENEWAL OF A BUSINESS LICENSE EACH YEAR. FAILURE TO ADHERE TO THE CONDITIONS MAY RESULT IN WITHHOLDING RENEWAL OF THE BUSINESS LICENSE UNTIL CONDITIONS ARE COMPLIED WITH TO THE SATISFACTION OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT.

WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD THEY DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.

**GENERAL CONDITIONS**

1. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. This includes the site plan adopted by the Planning Commission on June 15, 1999 and the Golden Valley Drive street improvement plans as accepted by the Board of County Commissioners on September 14, 1999. The Department of Community Development and the Department of Public

Works shall be responsible for determining compliance with this condition.

2. The applicant shall complete construction of the project within three (3) years from the date of approval by Washoe County.
3. A copy of the Action Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits issued by Washoe County.
4. Prior to the issuance of any administrative permit issued by Washoe County, the applicant shall remove any off-premise signs (billboards) from the project site (APN: 89-473-01) and place a restrictive covenant on the property that prohibits the further erection of off-premise signs, with Washoe County made a part to the covenant. The District Attorney's Office and the Department of Community Development shall be responsible for determining compliance with this condition.
5. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
6. A note shall be placed on all construction drawings and grading plans stating:

#### NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

7. Prior to ground-disturbing activity, the developer shall submit two copies of the required archaeological/historical survey to the Department of Community Development. The Department of Community Development shall submit the surveys to the State Historic Preservation Office (SHPO) of the Department of Museums, Library and Arts and the applicable tribe for review. Following that review, the SHPO and the applicable tribe shall submit a letter to the Department of Community Development that indicates the survey was acceptable. Any required mitigation plans will be subject to the same review procedures. The Department of Community Development shall determine compliance with this condition.
8. Prior to issuance of a building permit, the general contractor shall meet with the Department of Community Development to review conditions of approval related to landscaping. The Department of Community Development shall determine compliance with this condition.
9. Lighting fixtures used in all parking areas shall incorporate metal-halide technology with bulbs fully contained within a non-translucent housing designed to direct illumination downward and prevent light spillover. The height of light poles in the parking lot shall be reviewed by the Design Review Committee. The Department of Community Development shall determine compliance with this condition.
10. The track / sports stadium and one athletic field are the only recreation fields that may be illuminated and shall be limited to a "Soft Lighting" system. The Soft Lighting system shall be engineered and installed to prevent light spillover at the property line of adjacent properties, and light poles shall not exceed 85 feet in height. The Department of Community Development shall determine compliance with this condition.
11. No vehicle access will be permitted beyond the elevation line of 5160 in order to prevent erosion. A footpath may be established.

#### OPERATIONAL CONDITIONS

12. The hours of operation for parking lot and stadium lighting (including any reader board lighting) shall be limited to 6:00 am to 11 pm, Monday through Saturday, and shall be verified upon request to the Department of Community Development. Loud speaker systems shall be limited to stadium and athletic field use only and the hours of operation shall be limited to 9:00 am to 11 pm, Monday through Saturday, but in every case shall be turned off immediately after games. The Department of Community Development shall determine compliance with this condition.

13. The school bell system shall operate only when school is in session. At all other times, the system shall be turned off.

DRAINAGE AND GRADING

14. The site plan shall be revised to eliminate any cuts extending beyond the natural grade 5160 elevation for the knoll feature on the southeast portion of the property. The 3:1 slope shall remain for all cuts up to the 5160 elevation. The revised site plan shall be submitted for review and approval by the Washoe County Community Development Department and the Engineering Division.

15. All land disturbing activities during construction phases, such as, but not limited to, grading, excavation, cut and fill, etc., must be done with effective dust control measures consistent with Washoe County District Board of Health Regulations Governing Air Quality Management, Section 040.030. Disturbances greater than one (1) acre in size must obtain an approved dust control plan prior to beginning work. The District Health Department shall determine compliance with this condition.

16. Any storm drainage from this site must have pretreatment for petrochemicals and silts. The District Health Department and the County Engineer shall determine compliance with this condition.

17. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a grading permit. Grading shall comply with best management practices and shall include detailed plans for grading, drainage, erosion control, slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silt shall be controlled on-site and not allowed onto adjacent property. The County Engineer shall determine compliance with this condition.

18. For construction areas larger than 5 acres, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for Construction and submit a copy to the Engineer Division, prior to issuance of a grading or building permit. The County Engineer shall determine compliance with this condition.

19. Prior to issuance of a grading/building permit for the high school site, the applicant shall indicate on plans where any exported material will be taken and a grading and/or special use permit shall be obtained for that new site. The grading contractor shall demonstrate that the new site can accommodate and subsequently dispose of the exported materials, and the exported material shall not be sold without the proper business license. The County Engineer and the Business License Division shall determine compliance with this condition.

20. Cross sections indicating cuts and fills shall be submitted when applying for a grading permit. The County Engineer shall determine compliance with this condition.

21. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. The Engineering Division must approve methods and seed mix, with technical assistance from the Washoe-Storey Conservation District. The County Engineer shall determine compliance with this condition.

22. A detailed hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering Division and the Roads Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the on-site and the off-site areas and the methods for handling those flows. The report shall include all storm drainpipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing off-site drainage facilities and properties. The report shall route storm water to the closest natural drainageway and address the capacity of all downstream culverts and ditches to the natural drainageway. The County Engineer shall determine compliance with this condition.

23. Any increase in storm water runoff resulting from the development and based upon the 100-year storm shall be detained on-site. The County Engineer shall determine compliance with this condition.

24. The FEMA 100-year flood plain shall shaded X boundaries with associated flood elevations shall appear on the site plan to the satisfaction of the Engineering Division. Building Permits for structures in these areas shall be in conformance with Washoe County Code Section 416.

25. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the Engineering Division.

HEALTH, WATER AND SEWER

26. Backflow prevention devices, in accordance with the Uniform Plumbing Code 1994 Edition and NAC 445A. 67185 to 67255 inclusive, shall be installed at the water service point of connection and at locations to prevent cross connection between the drinking water system and any potential source of water contamination. The District Health Department shall determine compliance with this condition.

27. Construction plans and equipment specifications for any food handling facilities, detailing food storage and preparation areas, shall be submitted to the District Health Department for review and approval prior to issuance of a building permit. Food handling facilities shall comply with requirements stipulated in the Washoe County District Board of Health Regulations Governing Food Establishments and with requirements of the appropriate disposal service. The District Health Department shall determine compliance with this condition.

28. All new utilities shall be placed underground. The County Engineer shall determine compliance with this condition.

29. Water rights in accordance with the North Valley Area Plan shall be dedicated to Washoe County. Water rights determination for commercial properties are based upon water fixture unit counts. These fixture unit counts shall be prepared by the applicant's architect or engineer in accordance with the Uniform Plumbing Code and shall be provided to the Utility Services Division for review and approval. The water rights must be in good standing with the State Division of Water Resources and shall reflect the point of diversion, place of use, and manner of use satisfactory to the Utility Services Division.

30. Sanitary sewer connection fees in accordance with Washoe County Ordinances shall be paid prior to the issuance of a sanitary sewer will serve letter or approval of a building permit. Connection fees for commercial development will be determined upon waste fixture unit counts. These fixture unit counts shall be prepared by the applicant's architect or engineer in accordance with the Uniform Plumbing Code and shall be provided to the Utility Services Division for review and approval.

31. Water connection fees in accordance with Washoe County Ordinances shall be paid prior to the approval of a building permit.

32. A sanitary sewer report shall be prepared by the applicant's registered engineer that addresses the estimated sewage flows generated by this project, the projected sewage flows from potential or existing development within tributary areas, the impact on capacity of existing infrastructure, proposed collection line sizes, off-site and on-site alignment, and maximum velocities. The City of Reno and Washoe County Utility Services Division shall approve this prior to issuance of any building permits.

33. The public sewer collection and public domestic water distribution systems and necessary easements must be offered for dedication to Washoe County prior to approval of any building permits.

34. Improvement plan checking fees, and construction inspection deposit fees in accordance with Washoe County Ordinances shall be paid prior to the approval of any building permits.

35. No Certificate of Occupancy shall be issued until the public sanitary sewer collection and domestic water systems have been completed and accepted for operation and maintenance by the Utility Services Division.

36. Improvement drawings shall be in compliance with Washoe County Design Standards. The developer shall submit plans and specifications for the offsite water distribution and sewer collection systems necessary to serve the project to the Utility Services Division for review and approval prior to issuance of any building permits.

FIRE SAFETY

37. Water for fire suppression shall be provided in accordance with Washoe County Code 60. Hydrants shall flow a minimum of 1500 gpm. The Truckee Meadows Fire Protection District shall determine compliance with this condition.

38. An automatic fire suppression system complying with NFPA 13 shall be installed throughout structures. Plans for the sprinkler systems shall be submitted for approval by Truckee Meadows Fire Protection District, through the Washoe County Building and Safety Division.

39. A manual pull fire alarm system shall be installed throughout. The system shall be monitored by a central station and shall be interconnected to the sprinkler system. Plans for the alarm systems shall be submitted for approval by Truckee Meadows Fire Protection District, through the Washoe County Building and Safety Division.

40. Truckee Meadows Fire Protection District shall approve hydrant location and spacing prior to installation.

LANDSCAPING AND DESIGN

41. In accordance with the North Valleys Area Plan and Article 208, Section 119.208.25 Architecture, the buildings colors shall be limited to earth tones so that the color blends in with the natural surroundings. In addition, the roof shall be of a non-glare material and color, and the building material must be of stone and/or wood. These items shall be reviewed by the Design Review Committee (please see condition 50).

42. An additional 12 evergreen trees shall be planted around the competition baseball and softball fields. 6 of the 12 trees shall be around the competition softball field. These trees are in addition to what is currently shown on the plan.

43. Landscaping shall be added along the south property line (except the knoll area) at the same densities shown for the west and the north property lines. These trees are in addition to what is currently shown on the plans.

44. Additional trees shall be added to the islands in the parking lot labeled "future parking" where none are currently shown. The trees shall be placed at both ends of the parking area islands, and shall be in addition to the trees already shown on the plan. The Department of Community Development shall determine compliance with this condition.

45. All landscaping island areas must have plant material. No decomposed granite is permitted. The Department of Community of shall determine compliance with this condition.

46. Revegetated areas shall be limited to the retention pond and the graded slope areas of the ballfields as shown on the plans. Undulating berming at 3 foot in height is required along Golden Valley Road to screen the parking areas. The landscaping plan shall be in substantial conformance to the revised plan submitted on June 9, 1999, and shall comply with all code provision of Article 412 not shown on the plan with the exception of any waivers granted by the Director of Community Development. The Department of Community Development shall determine compliance with this condition.

47. The area to the southeast that will be graded and revegetated shall be rounded out for a more natural appearance. The seed mix and revegetative plan shall be reviewed by the Washoe County Storey Conservation District, and their comments and concerns shall be incorporated into the landscape plans. Please refer to condition number 14. Washoe County Engineering and Community Development Departments shall determine compliance with this condition.

48. The detention pond shall be designed and revegetated to look as natural as possible. Additional trees shall be added to its south and east end to promote compatibility with the north and west end (only half the density is required). These trees shall be in addition to those already shown on the plan. The Department of Community Development shall determine compliance with this

condition.

49. Article 208, Section 110.208.00 has design standards regarding signs that shall be followed for the school. These elements shall be reviewed by the Design Review Committee. The Department of Community Development shall determine compliance with this condition.

50. Prior to issuance of a building permit, a landscaping/architectural plan shall be reviewed and approved by the Design Review Committee. Said plan shall address, but not be limited to:

- a. General architectural design in substantial conformance with Planning Commission approved plans and elevations, including horizontal, color banding, variations in roof treatments, and building arrangement (see condition number 41);
- b. Type and color of building and roof materials, including a color palette that complements the colors of the natural vegetation and promotes compatibility;
- c. Outdoor screening, specialized paving materials, exterior building lighting, parking light heights, integration of roof mounted mechanical equipment, outdoor furniture, and mechanical noise abatement;
- d. The pedestrian pathway plan as it relates to landscaping and design, and its connection with the surrounding properties;
- e. All project signage, including any manual reader boards, building signs and monument signs (see condition 49);
- f. Revised landscaping plan detailing a) any plant material substitutions from Planning Commission approved plans, b) modified parking lot islands landscaped with all required trees and groundcovers, and inert material (including the proposed decomposed granite) not to exceed fifty (50) percent of the total planting area;
- g. Grading Plan, including all revegetation and restoration efforts, seed mixes for disturbed or sloped areas, and final layout of athletic fields and courts to be constructed or revegetated (see condition 14);
- h. Landscaping treatments and restoration plans in any drainage and detention pond areas;
- i. Landscaping irrigation system;
- j. Three year landscape maintenance plan.

51. Prior to issuance of a building permit, a certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Department of Community Development. The letter(s) shall certify that all applicable landscaping provisions of Articles 408, 410 and 412 of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the code that the Director of Community Development has waived, and any modifications incorporated by the Design Review Committee. Prior to issuance of a Certificate of Occupancy, the landscape architect shall conduct an on site inspection to determine if the landscaping and irrigation have been installed per the final landscaping plan. The inspection work shall be documented by the landscape architect and included in the letter(s). The Department of Community Development shall determine compliance with this condition.

52. All landscaping, including turfed athletic fields, shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three-year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada to the Department of Community Development, prior to a Certificate of Occupancy. The plan shall be wet-stamped. The Department of Community Development shall determine compliance with this condition.

#### ROADWAYS AND TRAFFIC

53. Provide 2015 ADT at the school frontage. Any additional improvements to maintain Level of Service (LOS) C along the school frontage for the year 2015 as determined by the Engineering Division are required.

54. The center driveway shall be restricted to right-in and right-out turning movements only.
55. "No parking" signs shall be installed along Spearhead Drive.
56. The applicant shall comply with all the recommendations listed in the RTC letter dated June 3, 1999. A letter signed by a representative from the Regional Transportation Commission shall be submitted to the Department of Community Development indicating that all requirements have been satisfied before issuance of a building permit. Any plans requiring modification as a result of the recommendations shall be submitted to RTC and Washoe County Community Development for review.
57. Recommendations per Solaegui Engineers, Ltd. dated April 13, 1999 are required to the satisfaction of the County Engineer. The recommendations are as follows:
- a. Provide 100 foot left turn storage on Golden Valley Road at each of the project's driveways.
  - b. Provide right turn deceleration lanes on Golden Valley Road at each of the project's driveways.
  - c. Provide school zone signage including school flashers and submit a safe route to school map per the requirements of the Manual on Uniform Traffic Control Devices with school crossing provided as needed.
  - d. It is recommended that any required signing, striping, or traffic control improvements comply with Washoe County and Nevada Department of Transportation requirements.
  - e. It is recommended that traffic signal warrants be periodically reviewed at Golden Valley Road intersections with the US. 395 eastbound and westbound ramps and that signals be installed when warranted.
  - f. It is recommended that each project driveway with Golden Valley Road be constructed with stop sign control and contain a single ingress lane and a minimum of one egress lane.
  - g. It is recommended that half-street improvements be constructed on Golden Valley Road along the project's frontage.
58. A sidewalk/pedestrian path shall be constructed along the entire school frontage. The Engineering Division shall determine compliance with this condition.
59. The bike path/lane shall be part of Golden Valley Road so that it functions as a breakdown lane and provides a shoulder for emergency vehicle access.
60. Additional bicycle parking shall be installed at the entrance to the baseball/softball fields and at the primary entrances to the school buildings. These areas shall include secure bike racks and sufficient space for safe ingress and egress and shall adhere to the standards listed in Section 110.410.15. The size of these facilities shall be similar to the proposed facility shown south of the Athletic Field. The Department of Community Development will determine compliance with this condition.
61. The applicant shall work with the developers of the Golden Highlands Subdivision to establish a pedestrian/bicycle link from the subdivision to the High School. The revised plans shall show this link. The Department of Community Development shall determine compliance with this condition.
62. The west and east driveway shall have separate left and right turn egress lanes. The Engineering Division shall determine compliance with this condition.
63. Staff and visitor parking areas shall be clearly marked at all entrances to these lots. The Engineering Division shall determine compliance with this condition.
64. The school district shall pay their fair portion to construct traffic signals on Golden Valley Drive at both the eastbound and westbound on/off ramps. For the eastbound and westbound on/off ramps, the school

district's share will be 22% and 29% respectively (based on A.M. volumes).

65. The minimum pavement requirements for on-site paving shall be three inches (3") of asphalt on six inches (6") granular base. The County Engineer shall determine compliance with this condition.

66. All driveway intersections with Golden Valley Drive shall have streetlights with 9500 lumens. The County Engineer shall determine compliance with this condition.

67. All curb returns off Golden Valley Drive shall have 40-foot radii to front face of curb. The County Engineer shall determine compliance with this condition.

68. All roadway improvements necessary (including but not limited to curb, gutter, sidewalk, right/left turn lanes, signing and striping, driveway access, and street lighting) to serve the project shall be designed and constructed to Washoe County standards and specifications. The County Engineer shall determine compliance with this condition.

69. All paving and driveway improvements necessary to serve the project shall be designed and constructed to Washoe County standards and specifications. Driveway approaches shall have a 40-foot minimum width. The County Engineer shall determine compliance with this condition.

70. All regulatory traffic signs shall meet County standards and the Manual on Uniform Traffic Control Devices. The County Engineer shall determine compliance with this condition.

71. A bus circulation plan shall be provided. The County Engineer shall determine compliance with this condition.

#### AVIGATION EASEMENT

72. The property owner(s) shall grant an Avigation Easement to, and acceptable to, the Airport Authority of Washoe County over the entire property. Prior to issuance of a building permit, the property owner(s) shall provide the Building and Safety Division and Department of Community Development with appropriate documentation indicating the avigation easement has been granted and has been accepted by the Airport Authority of Washoe County. The Department of Community Development shall determine compliance with this condition.

73. The applicant(s) and/or property owner(s) shall provide a list, verified by a qualified acoustical consultant, of construction methods to be utilized to 1) Attenuate single event noise levels as needed to ensure adequate speech intelligibility, and 2) Achieve an average hourly interior noise level (Leq) of 45 dBA DNL in noise sensitive rooms during any hour when the facility is in use.

#### BOARD OF COUNTY COMMISSIONERS ADDITIONAL CONDITIONS

74. The Washoe County School District shall submit a request to the Regional Transportation Commission - Regional Road Impact Fee (RRIF) Administrator to revise the RRIF - Capital Improvements Program (CIP) consistent with the RRIF General Administrative Manual, to include the right-of-way acquisition and all physical improvements necessary to widen Golden Valley Drive to four travel lanes from the current four lane / two lane split near Beckwourth Drive to the western driveway access to the High School. The request and RTC-RRIF Administrator approval of the revision to the CIP shall be secured before a building permit is issued for construction of any buildings at the High School site. The Department of Community Development shall determine compliance with this condition.

75. The Washoe County School District shall enter into an agreement with the Regional Transportation Commission to arrange for the reimbursement of any expenditures, to include the right-of-way acquisition and all physical improvements necessary to widen Golden Valley Drive to four travel lanes from the current four lane / two lanesplit near Beckwourth Drive to the western driveway access to the High School. Approval of the agreement shall be secured before the start of any construction of street improvements to serve the High School site. The Department of Community Development and the Department of Public Works shall determine compliance with this condition.

76. The Washoe County School District shall be responsible, through agreement with the Regional Transportation Commission, for the completion of all physical improvements necessary to widen Golden Valley Drive to four travel lanes from the current four lane / two lane split near Beckwourth Drive to the western driveway access to the High School prior to the issuance of a Certificate of Occupancy by the Building and Safety Department. The Department of Community Development and the Department of Public Works shall determine compliance with this condition.

\* \* \* \* \*

In addition to the special use permit conditions of approval, the Board of County Commissioners requested that the Washoe County School District Board of Trustees:

- 1. Consider an action item on a future agenda to dedicate a one-foot wide strip of land adjacent to the Golden Valley Road right-of-way for rural community buffer purposes;
- 2. Consider a "closed campus" for this particular school; and
- 3. Consider extending the four lanes to the end of the school property.

The Board also requested that the Regional Transportation Commission monitor the intersection at Spearhead and Golden Valley Road, as well as the other intersections, to determine if signals or other improvements are necessary and appropriate.

**COMMISSIONERS' /MANAGER'S COMMENTS**

Chairman Galloway requested that there be an item on a future agenda for the Board to consider suggesting that the Airport Authority Board of Trustees bring their public comment procedures into conformance with those of the County and the two cities.

Commissioner Sferrazza requested that the Department of Community Development bring forward the Regional Plan Amendment request to designate Golden Valley as a rural area at a future meeting.

Commissioner Bond expressed concern about a private road being constructed in Cold Springs and requested staff to report on the matter.

\* \* \* \* \*

There being no further business to come before the Board, the meeting adjourned at 11:55 p.m.

\_\_\_\_\_  
JIM GALLOWAY, Chairman

Washoe County Commission

ATTEST: AMY HARVEY, County Clerk